

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 17..11..2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Criminal Original Petition No.23706 of 2016

1.S.Chandrasekar
2.S.Ravi @ Ravichandran
3.Manimegalai

... Petitioners

-Versus-

1.State Rep. by
The Inspector of Police,
Veerapandi Rural Police Station,
Tirupur District.
[Crime No.1674 of 2014]

2.P.Chandrasekar

... Respondents

Prayer: This petition is filed under Section 482 Cr.P.C. praying to call for the entire original records relating to the case in C.C.No.105 of 2016 on the file of the learned Judicial Magistrate-II, Tirupur and to quash the same.

For Petitioners : Mr.H.Rajasekar

For Respondents : Mr.C.Emalias, APP for R1

ORDER

This original petition has been filed seeking to quash the case in C.C.No.105 of 2016 on the file of the learned Judicial Magistrate No.II, Tirupur.

2. On the complaint lodged by the 1st petitioner S.Chandrasekar, the 1st respondent police have registered a case in Crime No.1673 of 2014 against the 2nd respondent P.Chandrasekar and others. Similarly, on the complaint lodged by the 2nd respondent P.Chandrasekar, the 1st respondent police have registered a case in Crime No.1674 of 2014 against the 1st petitioner S.Chandrasekar and two other petitioners. Thus, it appears to be a case and counter case between the parties. P.Chandrasekar and S.Chandrasekar have arrived at a compromise between themselves and filed a petition in CrI.O.P.No.7323 of 2015 for quashing the case (FIR) in Crime No.1673 of 2014 and this court by order dated 08.09.2016 quashed the above said case. As regards Crime No.1674 of 2014,

the police completed investigation and filed final report in C.C.No.105 of 2016 before the learned Judicial Magistrate No.II, Tirupur, for quashing with S.Chandrasekar and two others are before this court on the ground that the mater has been amicably settled with P.Chandrasekar.

3. Today, Mr.S.Pitchaimani, Sub Inspector of Police, Veerapandi Police Station, Tirupur City, is present. The de facto complainant S.Chandrasekar and 1st Accused S.Chandrasekar, 2nd Accused S.Ravi @ Ravichandran and 3rd Accused Manimegalai are also present. The Sub Inspector of Police identified both the de fact complainant and the accused presons in court.

4. The de facto complainant and accused persons have field a joint compromise memo dated 15.11.2016 singed by both parties wherein the de facto complainant had agreed for quashment of the case in C.C.No.105 of 2016 pending on the file of the learned Judicial Magistrate No.II, Tirupur, Tirupur District. The de facto complainant has also filed an affidavit wherein in paragraphs 4 and 5 he stated as follows:-

"4.I further submit that the said amicable settlement arrived has been intimated to the 1st respondent and requested to close both the cases but the 1st respondent rejected the same. Further I submit that though the aggrieved parties on both sides decided to drop out the criminal proceedings and a final compromise being arrived between us as such further progress of the cases is not much necessary and such thing was not considered entertained by the 1st respondent.

5. I further submit that I am ready and willing to withdraw my complaint and all allegations against the petitioners and I have no objection in quashing the charges against the petitioners in C.C.No.105 of 2016 pending on the file of the learned Judicial Magistrate No.II, Tirupur."

5. In view of the above, the criminal original petition is allowed and the case in C.C.No.105 of 2016 pending on the file of the learned Judicial Magitrate-II, Tirupur, Tirupur District is hereby quashed in its entirety.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

1.The Judicial Magistrate-II, Tirupur, Tirupur District.

1a.-do- Thro' the Chief Judicial Magistrate, Tiruppur.

2.The Inspector of Police,Veerapandi Rural Police Station,
Tirupur District.

3. The Additional Public Prosecutor, High Court, Madras.

+ 1 cc to M/s. H. rajasekar, Advocate Sr.66737

Crl.O.P.No.23706 of 2016

RP (CO)
EU 25.1.17



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