

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2016

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.26070 of 2016
and Crl.M.P.No.12936 of 2016

1.Sakthivel
2.Arun
3.Rajmohan
4.Ramkumar
5.Kandhan
6.Murugan @ Adi Tamilan
7.Murugan
8.Masilamani
9.Kodi Anbarasan
10.Palani @ Tamilvanan ... Petitioners

Vs

1. The Station House Officer,
Villianur, Puducherry.
Crime No 322/08
2.Ezhavendhan @ Radhakrishnan ... Respondents

Criminal Original Petition filed under Section 482
Cr.P.C. to call for the records in STC No.1279 of 2014 on the
file of the Judicial Magistrate No.1, Puducherry, made in Charge
Sheet No.359 of 2008 pending trial and quash the same.

For Petitioners : Mr.T.Paul Noble Devakumar

For respondents : Mr.C.Emalias,
Addl. Public Prosecutor,
for R1
Mr.B.Beemaroo,
for R2

ORDER

The present criminal original petition has been filed
to call for the records in STC No.1279 of 2014 on the file of
the learned Judicial Magistrate No.1, Puducherry, made in Charge

Sheet No.359 of 2008 pending trial and quash the same.

2. Today, when the matter was taken up for consideration, learned counsel appearing for the petitioners and the learned counsel appearing for the second respondent / de facto complainant represented that the dispute between the parties was amicably settled and the second respondent has also filed an affidavit to that effect, which reads as follows:-

" 2. I state that I gave complaint against the petitioners on 26.9.2008 and the same were registered in Crime No.322/2008 on 26.8.2008 under Sections 143, 294, 506, 427 read with 149 I.P.C. by the first respondent herein.

3. I state that the charge sheet was filed in the above case in Judicial Magistrate No.I, Puducherry in STC No.1279/2014.

4. I state that during the trial there was a negotiation held between the accused and me by the elders of the locality and this is case of inner party dispute, they advice me to compromise the matter and I do not want to proceed the case further.

5. I state that I do not have any objection for quashing the above STC No.1279/2014 on the file of the Judicial Magistrate No.I, Puducherry. "

Thus, the learned counsel for the respective parties pleaded that recording the averments made in the affidavit filed by the second respondent, the case may be closed.

3. Therefore, recording the averments made in the affidavit filed by the second respondent, the proceedings in STC No.1279 of 2014 pending on the file of the learned Judicial Magistrate No.1, Puducherry, are quashed and the criminal original petition is disposed. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CS-VI)

//True Copy//

Sub-Assistant Registrar

To

1. The Judicial Magistrate No.I,
Puducherry.

2. The Station House Officer,
Villianur, Puducherry.

3. The Public Prosecutor,
High Court, Madras.

+1 CC to M/s. I. Paul Noble Devakumar, Sr 74890

+1 CC to The Govt. Pleader, Puducherry sr 76443

AVA
sp/23/1

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