

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2017

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.Nos.5540 and 1981 of 2017
and Crl.M.P.Nos.4135 and 1420 & 1421 of 2017

1.M.V.Sounderrajan
2.M.V.Suderson

... Petitioners
in Crl.O.P.No.5540 of 2017

1.B.Mastan Rao
2.Ravendra Babu

... Petitioners
in Crl.O.P.No.1981 of 2017

Vs.

State Rep. By
Inspector of Police,
F-5, Marakkanam Police Station,
Villipuram District.

... Respondent
in both Crl. O.Ps.

Common Prayer:Criminal Original Petitions filed under Section 482 Cr.P.C. to call for the records in C.C.No.255 of 2016 on the file of the Hon'ble Judicial Magistrate II, Tindivanam and quash the same.

For Petitioners :Mr.Manoharan Sundaram

For Respondents : Mr.P.Govindarajan, APP

COMMON ORDER

These Criminal Original Petitions has been filed to call for the records and quash the entire proceedings in C.C.No.255 of 2016 (pending investigation) on the file of the Judicial Magistrate II, Tindivanam.

2. When the matter came up for hearing today, the *de facto* complainant is personally present before this Court and he is identified by the Investigating Officer.

3. Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the respondent.

4. The learned counsel for the petitioners submitted that pending investigation in C.C.No.255 of 2016 , on the file of the Judicial Magistrate II, Tindivanam, the *de facto* complainant and the petitioners have amicably settled the issue among themselves and to this effect, the *de facto* complainant has filed an affidavit dated 20.09.2017, stating that he has no objection if the proceedings in C.C.No.255 of 2016, on the file of the learned Judicial Magistrate II, Tindivanam are quashed.

5. Recording the submissions made by the *de facto* complainant in his affidavit dated 20.09.2017, the proceedings in C.C.No.255 of 2016, on the file of the learned Judicial Magistrate II, Tindivanam are quashed. Accordingly, the Criminal Original Petitions stands allowed. Consequently, connected Miscellaneous Petitions are also closed.

20.09.2017

Index : Yes/No

Internet : Yes/No

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M.S.RAMESH, J.,

This matter is posted today before this Court under the caption 'For Being Mentioned' at the instance of the learned counsel for the petitioners.

2. It is brought to my notice by the learned counsel for the petitioners as well as the learned counsel for the respondent that the dispute between the parties in Crl.O.P.No.5540 of 2017 was not settled.

3. It is seen that, the Registry had by mistakenly included Crl.O.P.No.5540 of 2017 also in my earlier order dated 20.09.2017 along with Crl.O.P.No.1981 of 2017. Hence, the Registry is directed to delete Crl.O.P.No.5540 of 2017 in the cause title in my earlier order dated 20.09.2017 and issue order copy afresh. All other observations made in my earlier order shall pertain to the parties in Crl.O.P.No.1981 of 2017 only.

सत्यमेव जयते

17.11.2017

rts

To

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1.The Inspector of Police,
F-5, Marakkanam Police Station,
Villipuram District.

2.The Public Prosecutor,
High Court, Madras.

M.S.RAMESH.J,

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Crl.O.P.Nos.5540 and 1981 of 2017
and CMP.Nos.4135 and 1420 & 1421 of 2017

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