

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

CrI.O.P.No.25548 of 2016

P.C.Koshy

... Petitioner

Vs

1.The State, rep. by
The Inspector of Police,
City Crime Branch,
Egmore, Chennai.

2.P.Kannan

3.P.P.Baburaj

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to call for the entire records in C.C.No.329 of 2012 on the file of the Judicial Magistrate I, Poondhamalli, in Crime No.187 of 2011 (C.C.B Egmore), and quash the same.

For Petitioner : Mr.K.Pasupathy

For Respondents : Mr.C.Emalias,
Addl. Public Prosecutor,
for R1
Mrs.T.Ramadevi,
for R2 and R3

ORDER

The present criminal original petition has been filed to call for the entire records in C.C.No.329 of 2012 pending on the file of the Judicial Magistrate No.I, Poonamallee, in Crime No.187 of 2011 (C.C.B Egmore), and quash the same.

2. Today, when the matter was taken up for consideration, the petitioner and the respondents 2 and 3 appeared before this Court and their identities were got verified. The learned counsel appearing for the petitioner and the learned counsel appearing for the respondents 2 and 3 represented that the dispute between the parties was amicably settled and the respondents 2 and 3 have also filed separate

affidavits to that effect, wherein, they have stated that after registration of the criminal complaint, the petitioner realized his mistake and informed them that due to oversight, he had mentioned the survey number of the property in the sale deed executed and he is ready and willing to rectify the mistake committed by him. Later, the petitioner paid the compensation and repaid the entire sale consideration amount to them on 12.12.2011. Since the petitioner is 81 years old and he is having health complications, they are not willing to proceed further with the case. Thus, the learned counsel for the respective parties pleaded that recording the averments made in the affidavits filed by the respondents 2 and 3, the proceedings pending in C.C.No.329 of 2012 may be quashed.

3. In view of the same, recording the averments made in the affidavits filed by the respondents 2 and 3, the proceedings in C.C.No.329 of 2012 on the file of the Judicial Magistrate No.I, Poonamallee, in Crime No.187 of 2011 (C.C.B Egmore), pending against the petitioner is quashed and the criminal original petition is allowed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sbi

To

1. Judicial Magistrate No.I,
Poonamallee.

2.The Inspector of Police,
City Crime Branch,
Egmore, Chennai.

3.The Public Prosecutor,
High Court, Madras.

+2cc to Mr.K.Pasupathy, Advocate Sr.5849

Cr1.O.P.No.25548 of 2016

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srg 23/2/2017