

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 03.04.2017****CORAM:****THE HONOURABLE MR. JUSTICE P.N. PRAKASH****Cr1.O.P. (MD) No.2771 of 2017**

Navaneethan

: Petitioner/Accused No.1

-Vs-

1.State rep. by

The Inspector of Police,
Thirukokarnam Police Station,
Pudukottai District.: 1st Respondent/Complainant

2.Bangatlal Indoria

: 2nd Respondents/Defacto/
Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to call for the records relating to FIR in Crime No.211 of 2011 on the file of the first respondent and quash the same.

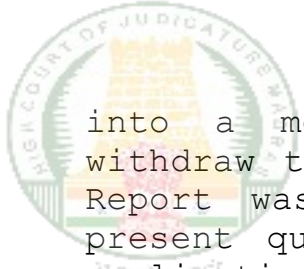
For Petitioner : Mr.V.Sitharanjandas

For Respondent No.1 : Mr.A.P.Balasubramani,
Government Advocate (Cr1.side)

O R D E R

On the complaint given by the second respondent, the first respondent registered a case in Crime No.211 of 2011 on 28.04.2011, challenging which, the petitioner filed the present quash application on 08.03.2017. When the matter came up for admission on 20.03.2017, it was represented by the State that charge sheet in this case was filed. Therefore, this Court called for a report from the learned Judicial Magistrate, Pudukkottai. The learned Judicial Magistrate, Pudukkottai, has sent a report dated 27.03.2017, in which, it is stated that charge sheet in Crime No.211 of 2011 has been filed on 24.03.2017 and the same has been taken on file as C.C.No.51 of 2017.

2. Mr.V.Sitharanjandas, learned counsel appearing for the petitioner submitted that after the registration of the First Information Report, the *defacto* complainant himself had entered



into a memorandum of compromise on 30.07.2014, agreeing to withdraw the complaint given by him. Since the First Information Report was kept pending, the accused was forced to file the present quash application and during the pendency of the quash application, the police have filed a charge sheet on 24.03.2017, in order to frustrate this case.

3. There appears to be some force in the submission of Mr.V.Sitharanjandas, learned counsel for the petitioner. However, since charge sheet has been filed, this petition for quashing the First Information Report becomes infructuous. Hence, this Criminal Original Petition is closed with liberty to the petitioner to challenge the charge sheet in Crime No.211 of 2011.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

1.The Inspector of Police,
Thirukokarnam Police Station,
Pudukottai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.V.Sitharanjandas, Advocate Sr.No.18800

SML

VB/SV/SAR2/13.04.2017/2P/4C

**Order made in
CRL.O.P.(MD) No.2771 of 2017
Dated: 03.04.2017**