

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2018

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. No.7146 of 2018  
and Crl.M.P.No.3699 of 2018

1.Vincent Stalin  
2.Sasikala  
3.Sivalingam  
4.S.Elayappan  
5.Annadurai  
6.Mohan  
7.Mani

... Petitioners/Accused 1 to 7

vs.

1.The State rep. by  
The Deputy Superintendent of Police  
District Crime Branch  
Salem

2.R.Rathinam ... Respondents/Complainant &  
Defacto Complainant

Criminal Original Petition filed under Section 482, Cr.P.C.  
to call for the records in C.C.No.1 of 2018 pending on the file  
of the Judicial Magistrate No.I, Sankagiri, Salem District and  
quash the same.

For petitioners Mr.B.Kumar  
Senior Counsel  
for Mr.J.Karuppiah  
For R1 Mrs.Kritika Kamal, P.  
Government Advocate [Crl.Side]  
For R2 Mr.N.Manokaran

ORDER

This Criminal Original Petition has been filed to call for  
the records in C.C.No.1 of 2018 pending on the file of the  
Judicial Magistrate No.I, Sankagiri, Salem District and quash  
the same.

2. On the complaint lodged by Rathinam (the second  
respondent/de facto complainant), the first respondent

registered a case in Cr.No.7 of 2014 on 05.05.2017 and after completing the investigation, has filed a charge sheet in C.C.No.1 of 2018 before the Judicial Magistrate No.I, Sankagiri for the offences under Sections 417, 420, 467, 468, 471 and 120 (b) IPC against Vincent Stalin and others, for quashing which, this petition has been filed on the ground that the parties have arrived at a compromise.

3. Heard Mr.B.Kumar, learned Senior Counsel representing Mr.J.Karuppiah, learned counsel on record for the accused, Mrs.P.Kritika Kamal, learned Government Advocate (Crl.Side) for the State and Mr.N.Manokaran, learned counsel for the de facto complainant.

4. Today, the accused and the de facto complainant are present before the Court. They are identified by their respective counsel.

5. Rathinam has filed an affidavit dated 27.06.2018, wherein, it is stated as follows:

"5. I humbly submit that difference of opinion and misunderstanding between myself and the petitioners herein has been sorted out by way of reconciliation talks with the intervention of the common friends and well wishers of both the petitioners and myself (Defacto Complainant). Since the pendency of the above C.C.No.1 of 2018 would create much more animosity and embarrassment to both the petitioners and this Defacto Complainant, it is unanimously decided as not to proceed any further in the above C.C.No.1 of 2018."

In view of the above, this petition is allowed and the proceedings in C.C.No.1 of 2018 on the file of the Judicial Magistrate No.I, Sankagiri, is quashed in respect of all the accused, on condition that the petitioners pay a sum of Rs.5,000/- each (Total Rs.35,000/-) to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), within a period of two weeks from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gms

To

1.The Deputy Superintendent of Police  
District Crime Branch,Salem

2.The Judicial Magistrate No.I, Sankagiri, Salem District .

3.The Public Prosecutor,High Court, Chennai.

4.The Section Officer,  
Criminal Section,  
High Court, Madras

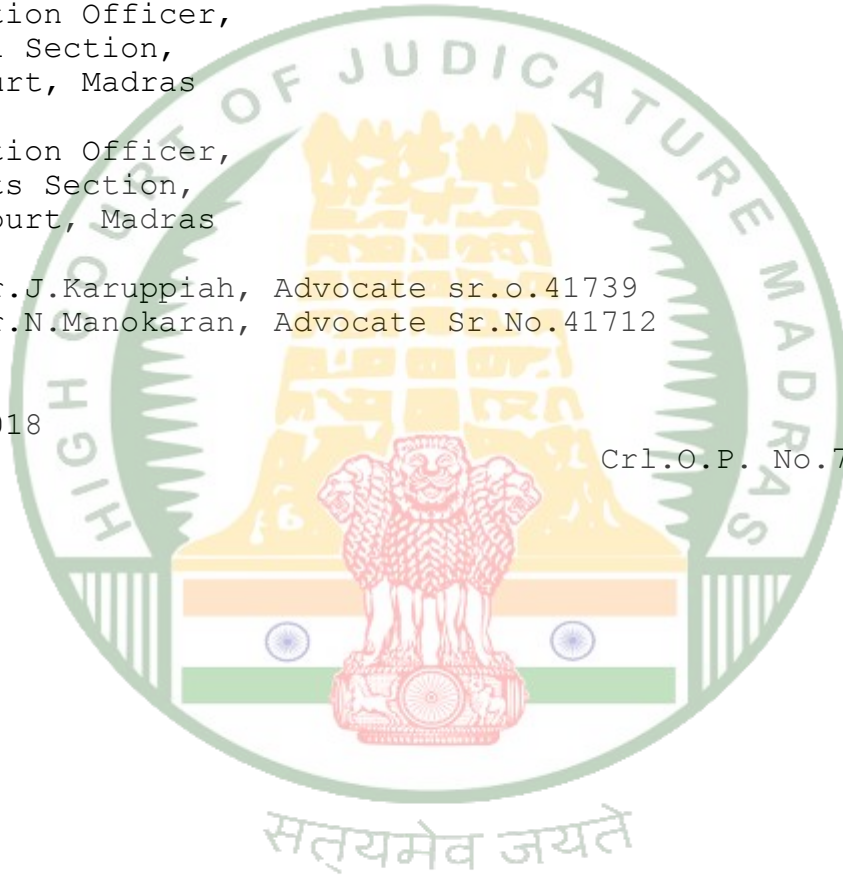
5.The Section Officer,  
Accounts Section,  
High Court, Madras

+2cc to Mr.J.Karuppiah, Advocate sr.o.41739

+1cc to Mr.N.Manokaran, Advocate Sr.No.41712

SR(CO)  
sm:12.7.2018

CrI.O.P. No.7146 of 2018



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