

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2018

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Cr1.O.P.No.6201 of 2018

1.Sisubalan

2.Gnanam

.. Petitioners/Accused 2 & 3

Versus

1. The State

Rep.by its Inspector of Police,  
Central Crime Branch,  
St.Thomas Mount,  
Chennai City,  
(Crime No.100 of 2005)

2.Kamakotti

.. Respondents/Defacto  
Complainant

Criminal Original Petition filed under Section 482 Cr.P.C.  
to call for the charge sheet in C.C.No.60 of 2009 on the file of  
the Judicial Magistrate No.1, Poonamallee and quash the same.

For Petitioners : Mr.S.Sivakumar

For Respondents : Mrs.P.Kritika Kamal - For R1  
: Mrs.P.Kamakotti - party-in-person

O R D E R

The prayer sought for in the present petition is to call  
for the charge sheet in C.C.No.60 of 2009 on the file of the  
Judicial Magistrate No.1, Poonamallee and quash the same.

2. It is submitted that, pending Criminal Original  
Petition, the petitioners and the 2<sup>nd</sup> respondent/defacto  
complainant have amicably resolved the dispute between  
themselves.

3. It is submitted by the learned counsel for the 2<sup>nd</sup>  
respondent/defacto complainant, that the 2<sup>nd</sup> respondent is aged  
about 80 years is unable to appear before this Court today. In  
order to identify the petitioners, they have submitted the photo  
copies of their Aadhar Cards viz., 1.Sisubalan - 786893534871,

2.Gnanam - 331850022793 and after verification of the original, the same are recorded.

4. Today, an Affidavit dated 06.03.2018 was also filed before the Commissioner of Oaths to the effect that she has no objection to quash the proceedings in C.C.No.60 of 2009 on the file of the Judicial Magistrate No.1, Poonamallee and the averment made in the affidavit hereby is recorded.

5. Recording the same, the proceedings in C.C.No.60 of 2009 on the file of the Judicial Magistrate No.1, Poonamallee is quashed. The Criminal Original Petition is allowed.

6. The Affidavit filed by the 2<sup>nd</sup> respondent/defacto complainant dated 06.03.2018 shall form part of the order.

**(Xerox copy of Affidavit of 2<sup>nd</sup> Respondent is Enclosed)**

Sd/-  
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

klt

To

1. The Inspector of Police,  
Central Crime Branch,  
St.Thomas Mount,  
Chennai City,

2. The Public Prosecutor  
High Court, Madras.

4ccs to Mr.S.Sivakumar, Advocate, sr.17551

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RMP (22/03/2018)