

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2018

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.5584 of 2018

and

Crl.MP.Nos.2718 & 2719 of 2018

Senthil Kumar

... Petitioner

Vs.

1.State rep. by
The Inspector of Police
V7, Nolambur Police Station
Chennai District.

2.Swamiyappan

... Respondents

Criminal Original Petition is filed under Section 482 of Cr.P.C praying to call for the records relating to the FIR in Crime No.104 of 2018 pending on the file of 1st respondent viz., the Inspector of Police, V-7, Nolambur Police Station, Chennai and quash the same, by allowing this Criminal Original Petition.

For Petitioner : Mr.K.Pradeep Raj

For Respondents : Mrs.Kritika Kamal.P
Government Advocate
(Crl. Side) for R1
Mr.Rajasekar for R2

सत्यमेव जयते
O R D E R

This Criminal Original Petition has been filed to call for the records relating to the FIR in Crime No.104 of 2018 pending on the file of 1st respondent viz., the Inspector of Police, V-7, Nolambur Police Station, Chennai and quash the same.

2. On the complaint lodged by one Swamiyappan, the second respondent herein, the first respondent police registered a case in Crime No.104 of 2018 on 06.02.2018 for the offences under Sections 294(b), 448 and 506(i) IPC against Senthil Kumar. This quash petition has been filed by the petitioner / Senthil Kumar to quash the prosecution.

3. Today, Swamiyappan and Senthil Kumar are before this Court to quash the prosecution on the ground that they have arrived at a compromise.

4. Swamiyappan / the de facto complainant has filed an affidavit dated 12.04.2018, wherein in paragraph No.4, he has stated as follows:-

"I submit that now the issue between myself and the petitioner and my co-brother Mr.Mohan and his wife Aruna Devi has been settled amicably and the petitioner's wife have executed cancellations deeds for cancelling sale agreements stated above. The entire issues between me and the petitioner have been settled. Hence, I have no objection in allowing the present Criminal Original Petition and quash the FIR stated above."

5. Senthil Kumar / the petitioner has filed an affidavit dated 12.04.2018, wherein in paragraph No.4, he has stated as follows:-

"I submit that now the issue between myself and the 2nd respondent and his co-brother Mr.Mohan and his wife Aruna Devi has been settled amicably and my wife have executed cancellations deeds for cancelling sale agreements stated above. The entire issues between me and the 2nd respondent have been settled."

6. The learned Government Advocate (Crl.Side) submitted that the investigation in Crime No.104 of 2018 has been completed and charge sheet has been filed in C.C.No.78 of 2018 on the file of the Judicial Magistrate, Ambattur.

7. Since the parties have arrived at a compromise as stated above, this petition is allowed and the prosecution in C.C.No.78 of 2018 in Crime No.104 of 2018 on the file of the Judicial Magistrate, Ambattur, is hereby quashed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mk

To

1. The Judicial Magistrate
Ambattur.
2. The Inspector of Police
V7, Nolambur Police Station
Chennai District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Rajasekar, Advocate, S.R.No.29734

Cr1.O.P.No.5584 of 2018

PA (CO)
CS/16/05/18



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