

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2018

CORAM:

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

Crl.O.P. No.12556 of 2018

S. Saravanan

...Petitioner

vs.

1 Sindhu

2 The State represented by its
Inspector of Police
T.15, SRMC Police Station
Porur, Chennai 600 116

.... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking to call for the records in C.C. No.34 of 2018 on the file of the Judicial Magistrate No.II, Poonamallee and quash the same in view of the compromise affidavit filed by the petitioner and the first respondent.

For petitioner : Mr. G. Mohan

For R2 : Mr. C. Raghavan
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking to call for the records in C.C. No.34 of 2018 on the file of the Judicial Magistrate Court No.II, Poonamallee and quash the same in view of the compromise affidavit filed by the petitioner and the first respondent.

2 On the complaint lodged by the first respondent/de facto complainant, the second respondent police registered a case in Cr. No.292 of 2017 against the petitioner and after completing the investigation, filed a charge sheet in C.C. No.34 of 2018 before the Judicial Magistrate No.II, Poonamallee for the offences under Sections 294(b), 326 and 506(ii) IPC, for quashing which, the petitioner and the first respondent/de facto complainant have preferred this quash petition on the ground that they have arrived at a compromise.

3 Today, the petitioner/accused and the first respondent/de facto complainant are present before this Court. The de facto complainant has filed an affidavit, wherein, it is stated as under:

"4. I humbly submit that the occurrence happened between the petitioner and me was some misunderstanding between them. Even the petitioner and me maintain their friendship till now and both of the family members are maintain their cordial relationship between them if this petition is not allowed, the cordial relation of the petitioner family and my family may be spoiled in view of the above criminal proceedings in C.C. No. of 2018 on the file of the Judicial Magistrate - II, Poonamallee. Further, the issue arise between the petitioner and me there is no offence made against public. Hence, it is fit case to quash the criminal proceedings in C.C. No.34 of 2018 pending in Judicial Magistrate No.II, Poonamallee."

4 In view of the above, the prosecution in C.C. No.34 of 2018 on the file of the Judicial Magistrate No.II, Poonamallee, is quashed and as a sequel, this Criminal Original Petition stands allowed. However, as an act of atonement, the petitioner is directed to report before the Hony. Secretary, Bala Vihar, 10 Halls Road, Kilpauk, Chennai - 10, on 25.06.2018 and do social service by teaching the mentally retarded students there till 30.06.2018 from 10.30 a.m. to 5.00 p.m. The Hony. Secretary, Bala Vihar, shall maintain an attendance register for the petitioner and monitor his service and send a report to this Court, after the 6-day term is over, about his performance.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

cad

To

- 1 The Inspector of Police
T.15, SRMC Police Station
Porur
Chennai 600 116
- 2 The Judicial Magistrate No.II
Poonamallee

- 3 The Public Prosecutor
High Court of Madras
Chennai 600 104
- 4 The Honorary Secretary
Bala Vihar
10 Halls Road
Kilpauk, Chennai 600 010

+lcc to Mr.B.Karthikeyan, Advocate, S.R.No.36195

Cr1.O.P. No.12556 of 2018

SS (Co)
CS/19/06/18



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