

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.13798 of 2018 & Crl.M.P. No.7116 of 2018

Sivakumar

Petitioner

vs.

1 The State represented by
the Inspector of Police
Central Crime Branch
Salem City
Salem District

2 Prabakaran

Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking to call for the records in Cr. No.14 of 2017 on the file of the Inspector of Police, Central Crime Branch, Salem the first respondent.

For petitioner Mr. R. Sankarasubbu
For R1 Mr. C. Raghavan
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking to call for the records in Cr. No.14 of 2017 on the file of the Inspector of Police, Central Crime Branch, Salem, the first respondent herein and quash the same.

2 On the complaint lodged by one Prabakaran, the second respondent herein, the first respondent police registered a case in Cr. No.14 of 2017 on 29.08.2017 under Section 420 IPC against the petitioner herein, for quashing which, this petition is filed.

3 Today, the de facto complainant and the accused are present before this Court and they are identified by Mr.S.Mariamuthu, Inspector of Police, Central Crime Branch, Salem City, who is also present before this Court.

4 The de facto complainant has filed an affidavit dated 08.05.2018 stating that he is no longer inclined to prosecute

the case and that he compromises the matter with the accused. The relevant portion of the said affidavit filed by the de facto complainant reads as under:

"1. I am the resident of the above said address and businessman and I had a business with Sivakumar, the petitioner/accused and due to misunderstanding, I laid a complaint before the respondent police in Cr. No.14 of 2017 dated 29.08.2017 and on negotiations, the matter is compromised and on the advice of elders. I am not inclined to prosecute the case further. Hence, I compromise the matter with accused Sivakumar."

In view of the above, the prosecution in Cr. No.14 of 2017 on the file of the first respondent police is quashed and as a sequel, this Criminal Original Petition stands allowed. Connected Crl.M.P. is closed.

s/d-
Assistant Registrar(CS VII)

True Copy

Sub-Assistant Registrar

cad
To

1 The Inspector of Police
Central Crime Branch
Salem City
Salem District

2 The Public Prosecutor
High Court of Madras
Chennai 600 104

+1 CC to Mr. R. Sankarasubbu, advocate sr 36184.

Crl.O.P. No.13798 of 2018

VBA(CO)
SP(20/06/2018)

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