

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.14694 of 2018

1.Edwin
2.Paraman @ Paramaguru
3.Lokesh Kumar
4.Nagaraj

.. Petitioners

Vs

1.The Inspector of Police
V7, Nolambur Police Station
Chennai.

2.P.Rajkumar Pandian

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records pertaining to the charge sheet culminated in C.C.No.165 of 2017 on the file of the learned Judicial Magistrate, Ambattur and quash the same.

For Petitioners: Mr.M.Guruprasad
For R1 : Mrs.Kritika Kamal, P.
Government Advocate (Crl.Side)

O R D E R

This petition has been filed to call for the records pertaining to the charge sheet culminated in C.C.No.165 of 2017 on the file of the learned Judicial Magistrate, Ambattur and quash the same.

2. On the complaint lodged by the second respondent, the first respondent registered a case in Cr.No.2077 of 2012 and after completing the investigation has filed a charge sheet in C.C.No.165 of 2017 before the Judicial Magistrate, Ambattur for offences under Sections 365, 342, 323, 387 read with Sec.34 IPC against the petitioners herein, for quashing which, this application has been filed on the ground that the parties have arrived at a compromise.

3. Today, the de facto complainant and Madhavan [L.W.2], who was also a victim in the offence are present. The accused are also present present before the Court.

4. The de facto complainant is a practising Advocate and he is said to have given a complaint on behalf of his client

Madhavan. The de facto complainant has filed an affidavit dated 12.06.2018, wherein, it is stated as follows:

"4. I state that the petitioners above named have filed above Crl.O.P.No.14694 of 2018 praying to quash the charge sheet filed in C.C.No.165 of 2017 on the file of the learned Judicial Magistrate, Ambattur. I further state that the dispute in respect of the business transaction is amicably compromised and settled between the parties i.e., the petitioners and Mr.Madhavan [LW-2]. I am the informant/de facto complainant in the above said case and I also arrived at compromise with the concerned parties in respect to the said case."

5. Similarly, Madhavan has filed an affidavit dated 12.06.2018, wherein, it is stated as follows:

"4. I learned that the petitioners/accused have filed above Crl.O.P.No.14694 of 2018 praying to quash the charge sheet filed in C.C.No.165 of 2017 on the file of the learned Judicial Magistrate, Ambattur. I state that the dispute in respect of the business transaction is amicably compromised and settled between me and the petitioners. The informant/de facto complainant in the above said case was informed regarding the compromise and he has no objection for the amicable solution arrived between us."

6. In view of the above, this petition is allowed and the proceedings in C.C.No.165 of 2017 on the file of the Judicial Magistrate, Ambattur, is hereby quashed as against all the accused. The petitioners are directed to report before the Secretary, Bala Vihar School for Mentally Challenged, Kilpauk Garden Colony Road, T.P.Chatram, Chennai-10 from 09.07.2018 to 13.07.2018 and take part in the activities of the School from 10.30 am. to 1.30 p.m.

Sd/-
Assistant Registrar(CS V)
dt.18.6.2018

*corrected as per letter dt.4.7.2018
by the Counsel for petitioner in
Crl.OP.14694/18

Sd/-
Assistant Registrar(CS V)
dt.4.7.2018

//True Copy//

Sub Assistant Registrar

gms

To

***1.The Judicial Magistrate, Ambattur**

***2.-do-thro Chief Judicial Magistrate,
Tiruvallur**

***3.The Inspector of Police,
V7, Nolambur Police Station,
Chennai. (Crime.No.2077/12)**

**To be substituted
to the order copy
already despatched on
18.6.2018**

4.The Secretary, Bala Vihar School for Mentally Challenged,
Kilpauk Garden Colony Road, T.P.Chatram, Chennai-10

5.The Public Prosecutor,
High Court, Madras.

+1cc to M/s.M.Guruprasad, Advocate SR.No.37550

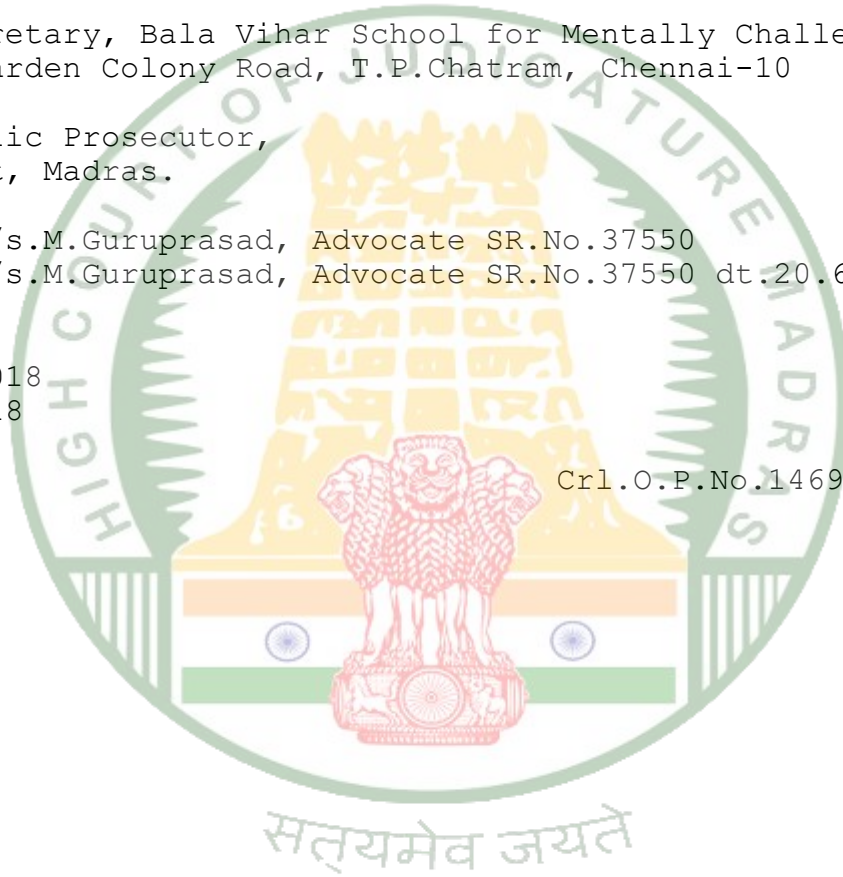
+3cc to M/s.M.Guruprasad, Advocate SR.No.37550 dt.20.6.2018

VBA(CO)

sm:18.6.2018

sm:4.7.2018

CrI.O.P.No.14694 of 2018



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