

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.17990 of 2018

1. M.Senthil
2. R.Srinivasan ... Petitioners/Accused
Vs

1. State of Tamil Nadu,
Rep. by Sub-Inspector of Police,
V-7, Nolambur Police Station,
Nolambur, Chennai. ... Respondent/Complainant

2. S.Rajagopal ... Respondents/Defacto Complainant

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records and quash the proceedings of C.C.No.231 of 2017 on the file of the Judicial Magistrate Court, Ambattur.

For Petitioners : Mr.P.Sesubalan Raja
For Respondents : Mr.C.Raghavan (for R1)
Govt. Advocate

O R D E R

On the complaint lodged by Rajagopal, the respondent Police registered a case in Crime No.469 of 2016 and after completing the investigation, filed a charge sheet in C.C.No.231 of 2017 before the learned Judicial Magistrate, Ambattur for the offences under Section 341, 294[b], 323 and 506[2] IPC against Senthil [A1] and Srinivasan [A2]. For quashing which, this petition has been filed on the ground that the parties have arrived at a compromise.

2.Heard Mr.Sesubalan Raja, learned counsel for the petitioners/ accused and the learned Government Advocate appearing for the 1st respondent.

3.Today, the petitioners and the 2nd respondent are present before this Court. They are identified by Mr.Sesubalan Raja, learned counsel on record for the petitioners.

4.Mr.S.Rajagopal [2nd respondent/de facto complainant] has filed an affidavit dated 07.07.2018, wherein, in paragraph Nos.2, 3 and 4, it is stated as follows :

"2.I submit that a Criminal case was registered against one Mr.M.Senthil & Mr.Srinivasan on the basis of the statement made by me on 02.08.2016 to the Nolambur Police. In pursuant to the registration of the case, the Nolambur Police had also filed a final report against the persons against the Judicial Magistrate, Ambattur.

3.I submit that one the accused Mr.Senthil is my son-in-law. Now my daughter, Kanchana & Mr.Senthil have entered into a compromise and they have also filed a Mutual consent petition HMOP NO.50 of 2018 before the Principal Sub Court, Poonamallee for divorce.

4.In view of the above development, I do not want to proceed the criminal case filed against Mr.Senthil. Further I hereby assure that I will give my complete co-operation to Mr.Senthil for steps taken by him to quash the criminal proceedings against him."

5.In view of the above, this petition is allowed and the proceedings in C.C.No.231 of 2017 is hereby quashed, on condition that the petitioners and the 2nd respondent shall pay a sum of Rs.1,000/- each totalling Rs.3,000/- to the credit of the Chief Justice Relief Fund [payable in Accounts Section of the High Court Registry], within a period of two weeks from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

Sd/-

Assistant Registrar(CS VII)

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Sub Assistant Registrar

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To

1.The Sub-Inspector of Police,
V-7, Nolambur Police Station,
Nolambur, Chennai.

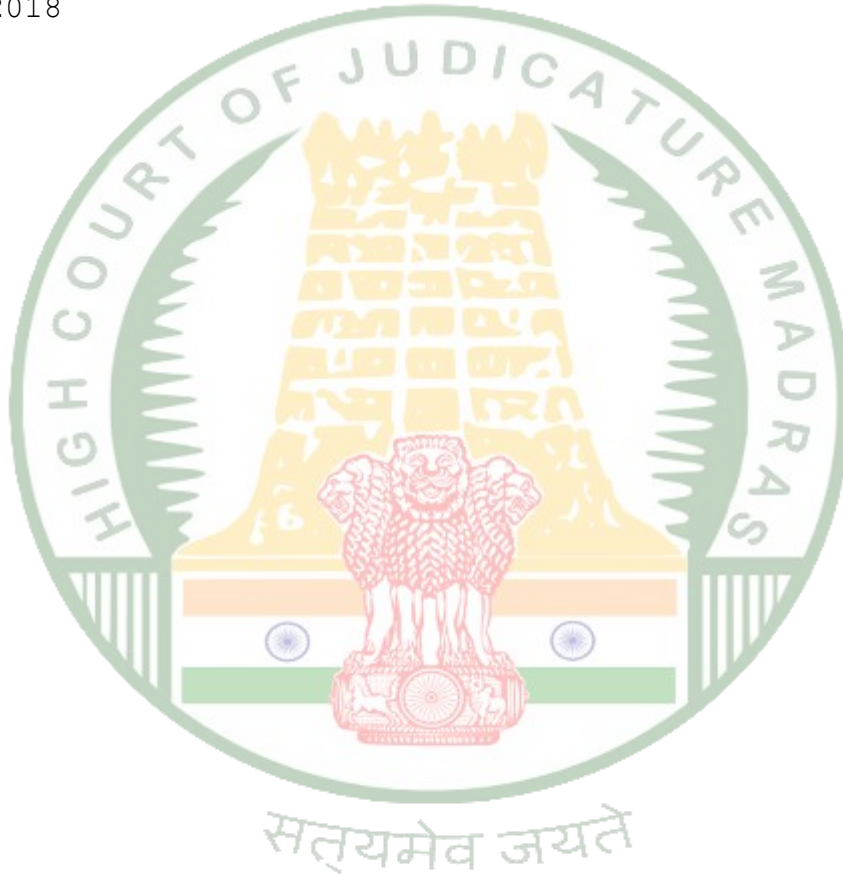
2.The Section Officer,
Accounts Section,
High Court, Madras.

3.The Public Prosecutor,
High Court, Madras.

+3cc to Mr.P.Sesubalan Raja, Advocate sr.no.46978

CRL.OP.No.17990 of 2018

nr 18/07/2018



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