

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :23.01.2018

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.1828 of 2018

1.Mohan
2.Kumaran
3.Raja
4.Guberan @ Nareshkumar
5.E.Mohan .. Petitioners/Accused A1 and A3 to A6

Vs.

1.The State Represented by
The Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai. .. 1st Respondent/Complainant

2.Kader Basha .. 2nd Respondent/Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in C.C.No.3997 of 2009 on the file of the learned V Metropolitan Magistrate, Chennai in Crime No.320 of 2008 on the file of the Inspector of Police, K-3 Aminjikarai Police Station, Chennai and quash the same.

For Petitioner : Mr.M.Krishnamoorthy

For Respondent 1 : Mrs.P.Kritika kamal.
Government Advocate (Crl. side)

O R D E R

This petition has been filed seeking to call for the records in C.C.No.3997 of 2009 on the file of the learned V Metropolitan Magistrate, Chennai, in Crime No.320 of 2008 on the file of the Inspector of Police, K-3 Aminjikarai Police Station, Chennai and quash the same.

2.Pending Criminal Original Petition, the defacto complainant and the petitioners have amicably resolved the dispute among themselves and accordingly, they have entered into a compromise.

3. Today, the defacto complainant and the petitioners are personally present before this Court and they have been

identified by their counsel on record. The counsel for the parties have submitted the photo copies of the parties in respect of their Identity Cards viz., Mohan - Election Commission of India, Card No.TN/02/008/0141003, Kumaran - Election Commission of India, Card No.SRB0540658, Raja - Election Commission of India, Card No.BDZ3977139, Nareshkumar - Election Commission of India, Card No.BDZ3531498, E.Mohan - Election Commission of India, Card No.TN/02/008/0264277 and Kadhar Basha - Aadhaar Card No.3209 1615 4999 and after verification of the original cards, the same were also recorded.

4. The defacto complainant has also filed a common affidavit, dated 27.12.2017 before this Court to the effect that he has no objection, if the present Criminal Original Petition is allowed.

5. In view of the above submissions made on either side and taking into account, the compromise entered into between the parties, the proceedings in C.C.No.3997 of 2009 on the file of the learned V Metropolitan Magistrate, Chennai in Crime No.320 of 2008 on the file of the Inspector of Police, K-3 Aminjikarai Police Station, Chennai, is hereby quashed.

6. The affidavit, dated 27.12.2017 filed by the defacto complainant/Kader Basha, is hereby recorded and shall form part of the order. The Criminal Original Petition is allowed.

The affidavit dated 27.12.2017 Xerox Copy attached.

Sd/-

ASSISTANT REGISTRAR

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

1.The V Metropolitan Magistrate,
Chennai.

2.The Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai.

3.The Public Prosecutor, High Court, Madras.
+1 CC to Mr. Mr.M.Krishnamoorthy Advocate SR.NO.5632

Cr1.O.P.No.1828 of 2018

RRI (07/02/2018)