

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.Nos.19599 & 21442 of 2018

1.Sundar Singh
2.Alex Nirmal Singh

...Petitioners in
Crl.O.P.No.19599/2018

1.C.Mel Christopher
2.C.Mel Walter

... Petitioners in
Crl.O.P.No.21442/2018

Vs

1.The State rep. by
Inspector of Police,
S-7, Madipakkam Police Station,
Madipakkam, Chennai.

2.Mel Christoper

... Respondents in
Crl.O.P.No.19599/2018

1.State by:
Sub-Inspector of Police
S-7, Madipakkam Police Station,
Chennai.
(Crime No. 127 of 2018)

2.Sundar Singh

... Respondents in
Crl.O.P.No.21442/2018

Criminal Original Petitions filed under Section 482 of Cr.P.C. to call for the records and quash the proceedings in Cr.No.126 of 2018 pending on the file of the respondent police and the FIR in Cr.No.127 of 2018 on the file of the Sub-Inspector of Police, S-7, Madipakkam Police Station, Chennai as against the petitioners.

In Crl.O.P.No.19599 of 2018:

For Petitioners :	Mr.S.Sugendran
For R1 :	Mrs.M.Prabhavathi
	Addl. Public Prosecutor

In Cr1.O.P.No.21442 of 2018:

For Petitioners : Mr.K.R. Rameshkumar
For R1 : Mrs.M.Prabhavathi
Addl. Public Prosecutor

C O M M O N O R D E R

These petitions have been filed to call for the records in Cr.Nos.126 and 127 of 2018 pending on the file of the respondent police and quash the same.

2. On the complaint lodged by Mel Christopher, the respondent police have registered a case in Cr.No.126 of 2018 on 09.03.2018 under Sections 294(b) and 323 IPC against Sundar Singh and Alex Nirmal Singh. On the complaint given by Sundar Singh, the respondent police have registered a case in Cr.No.127 of 2018 under Sections 294(b), 323 and 506(i) IPC against Mel Christopher and Mel Walter. It is seen that Mel Christopher is the son-in-law of Sundar Singh, he having married Reeni. During the pendency of the investigation, it appears that the parties have arrived at a compromise.

3. Today, Mel Christopher has filed an affidavit dated 05.09.2018, wherein, it is stated as follows:

"3. I state that since the 1st petitioner is my father-in-law and the 2nd petitioner i my brother-in-law, considering the future relationship and on the advise of the well wishers and

respectable persons in the family members, we are willing to compound the offences and do not want to precipitate the issue and to settle the issue amicably."

4. Similarly, Sundar Singh has filed an affidavit dated 05.09.2018, wherein, it is stated as follows:

"4. I state that since the 1st petitioner is my son-in-law and the 2nd petitioner is my son-in-law's brother, considering the future relationship and on the advise of the well wishers and respectable persons in the family members, we are willing to compound the offences and do not want to precipitate the issue and to settle the issue amicably."

5. Today, Mel Christoper, Mel Walter and Sundar Singh are present and they are identified by Mr.K.Rajendran, H.C.43491, S-7, Madipakkam Police Station, Chennai.

6. Learned Additional Public Prosecutor submitted that investigation in both the cases have been completed and charge sheet has been filed in both the cases and the Judicial Magistrate, Alandur, has taken on file the charge sheet in Cr.No.127 of 2018 and has numbered the same as C.C.No.495 of 2018, however, the learned Magistrate has returned the charge sheet in Cr.No.126 of 2018 for certain compliances.

In view of these developments, these petitions are allowed and the entire prosecution in Cr.No.127 of 2018 culminating in C.C.No.495 of 2018 and the prosecution in Cr.No.126 of 2018 are hereby quashed.

Sd/-
Assistant Registrar (CO)

// True Copy//

Sub Assistant Registrar

gms

To

1.The Inspector of Police,
S-7, Madipakkam Police Station,
Madipakkam, Chennai.

2.The Sub-Inspector of Police
S-7, Madipakkam Police Station,
Chennai.

3.The Judicial Magistrate, Alandur.

4.The Public Prosecutor
High Court, Madras.

+1cc to Mr.K.R.Ramesh kumar, Advocate SR.No.61573

+1cc to Mr.P.Sivamuruganantham, Advocate SR.No.61311

CrI.O.P.Nos. 19599 & 21442 of 2018

PA (CO)

RMP (26/09/2018)