

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2018

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. No.21409 of 2017 & Crl.M.P. Nos.12592 & 12593 of 2017

A. Velayutham		Petitioner
	vs.	
S. Thiagarajan		Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking to call for the records in C.C. No.5019 of 2017 on the file of the II Metropolitan Magistrate, Egmore at Allikulam, Chennai and quash the said proceedings.

For petitioner Mr. J.K. Rajkumar Roberts
For respondent Mr. K.P. Chandrasekaran

ORDER

This Criminal Original Petition has been filed seeking to call for the records in C.C.No.5019 of 2017 on the file of the II Metropolitan Magistrate, Egmore at Allikulam, Chennai and quash the said proceedings.

2 For the sake of convenience, the parties are referred to by their name.

3 Thyagarajan initiated a prosecution in C.C. No.5019 of 2017 before the II Metropolitan Magistrate Court, Egmore (Allikulam), Chennai against Velayutham for the offences under Sections 499 and 500 IPC, for quashing which, this Criminal Original Petition has been preferred on the ground that the parties have arrived at a compromise.

4 Today, Velayutham and Thyagarajan are present before this Court and are identified by their respective counsel.

5 Thyagarajan has filed an affidavit dated 29.10.2018, wherein, at paragraph no.4, he has stated as follows:

"4. Meantime, I submit by good counselling on both sides and the petitioner/(accused) being my own paternal uncle and aged, I do not want to prosecute him further. As a result of it, myself and the petitioner/(accused) herein have arrived at a compromise with an understanding that I agree for the quashing of my private complaint in C.C. No.5019 of 2017, on the file of the II Metropolitan Magistrate, Egmore at Allikulam, Chennai against the petitioner/(accused) herein, by this Hon'ble Court and the petitioner/(accused) herein agrees, not to proceed against me in any manner, as a consequence of quashing

my complaint against him by this Hon'ble Court."

In view of the above, the proceedings in C.C. No.5019 of 2017 on the file of the II Metropolitan Magistrate Court, Egmore (Allikulam), Chennai, is quashed and as a sequitur, this Criminal Original Petition is allowed on condition that Velayutham pays a sum of Rs.1,000/- as costs 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. Connected Crl.M.Ps. are closed.

Sd/-

Assistant Registrar(CS ii)

//True Copy//

Sub Assistant Registrar

cad

To

- 1 The II Metropolitan Magistrate
Egmore at Allikulam, Chennai
- 2 The Public Prosecutor
High Court of Madras, Chennai 600 104
- 3.The section officer,
VR Section,
High court, Madras
4. The section officer,
Criminal Section,
High court
Madras

+2cc to Mr.J.K. Rajkumar Roberts, Advocate SR.No. 75007

सत्यमेव जयते

Crl.O.P. No.21409 of 2017

ASK(01/11/2018)

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