

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2018

CORAM

THE HONOURABLE MR. JUSTICE P.RAJAMANICKAM

Crl.O.P.No.22742 of 2018

1.Prakash
2.Abdul Sardar

.. Petitioners

Vs.

1.The State rep. by Inspector of Police,
H1 Washermenpet Police Station,
Washermenpet, Chennai - 21.

2.M.Janaki

.. Respondents

Criminal Original Petition filed under 482 of Criminal Procedure Code to call for the records pertaining to C.C.No.1746 of 2017 pending before the XV Metropolitan Magistrate, George Town, Chennai and quash the same.

For Petitioners : Mr.R.S.Kirubakaran

For Respondents : Ms.M.Prabhavathi,
Addl. Public Prosecutor for R1
Mr.N.Suresh for R2

ORDER

Seeking to quash the case in C.C.No.1746 of 2017 pending before the XV Metropolitan Magistrate, George Town, Chennai, the present Criminal Original Petition has been filed.

2.Heard the learned counsel appearing for the petitioners, the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the second respondent.

3.The first petitioner is the first accused in Crime No.946 of 2015 on the file of the first respondent police. The second respondent is the defacto complainant in the above said crime number. The FIR in Crime No.946 of 2015 was registered for the offences punishable under Sections 341, 294(b), 323 and 506(ii) I.P.C. and a charge sheet was laid in C.C.No.1746 of 2017 on the file of the XV Metropolitan Magistrate, George Town, Chennai. The defacto complainant has also preferred a complaint

against the first petitioner in Crime No.5 of 2016 for the offence under Sections 498(A), 406 and 506(ii) IPC and a charge sheet was laid in C.C.No.238 of 2017 on the file of the Additional Mahila Court, Allikulam, Chennai.

4. It appears that the parties have agreed to settle the matter amicably and a Memorandum of Understanding is also filed to that effect. The petitioners and the second respondent appeared before this Court and expressed in unequivocal terms that they have compromised the matter and signed in the Memorandum of Understanding on their own will and volition. The identities of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identities of the parties are also confirmed by the learned Additional Public Prosecutor through the first respondent police.

5.The Memorandum of Understanding dated 11.09.2018 stands recorded and the Criminal Original Petition is disposed of in terms of the said Memorandum of Understanding. The proceedings in C.C.No.1746 of 2017, on the file of XV M.M.George Town, Chennai, are quashed against the petitioners herein alone. The Memorandum of Understanding dated 11.09.2018 shall form part of the order.

Mmi

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
H1 Washermenpet Police Station,
Washermenpet, Chennai - 21.

2.The XV Metropolitan Magistrate,
George Town, Chennai.

3.The Public Prosecutor, High Court, Madras.

+2ccs to Mr.N.Suresh, Advocate S.R.No.66320

+2ccs to Mr.R.S.Kirubakaran, Advocate S.R.No.66013

KR/26/10/18

Cr1.O.P.No.22742 of 2018