

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.28666 of 2018
and CrI.M.P.Nos.16690 & 16691 of 2018

Nandu @ Nandakumar

...Petitioner/Revision

Vs.

The State rep by
Sub-Inspector of Police,
K-8, Arumbakkam Police Station,
Chennai-600 106.

...Respondent/Respondent

PRAYER:

Criminal Original Petition filed under Section 482 of the Cr.P.C., to set-aside the order dated 31.10.2016 passed by the Hon'ble Principal Sessions Judge in CrI.R.C.No.29 of 2018 against C.M.P.No.735 of 2018 in C.C.No.5725 of 2007 on the file of the V Metropolitan Magistrate, Egmore, Chennai.

For Petitioner : Mr.T.V.Vineeth Kumar

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed seeking to quash the order passed by the learned Principal Sessions Judge in CrI.R.C.No.29 of 2018 against C.M.P.No.735 of 2018 in C.C.No.5725 of 2007 on the file of the V Metropolitan Magistrate, Egmore, Chennai, dated 31.10.2016.

2. The petitioner has been arrayed as A2 in the final report filed by the respondent police for an offence under Section 294 (b), 341 and 323 of IPC. The defacto complainant namely Mr.A.Peter Selvaraj was present before this Court and he categorically stated that the matter has been amicably settled and there is no need to proceed further with the case. An affidavit has also been filed before this Court in a pending proceedings wherein, A2 had sought for quashing the order in CrI.R.C.No.29 of 2018.

3 This Criminal Original Petition stands allowed and as a sequel, the proceedings in *** C.C.No.5725 of 2007 on the file of the Learned V Metropolitan Magistrate, Egmore, Chennai.** is quashed and the terms of Affidavit of Defacto Complainant shall form part and parcel of this order. The petitioner shall pay 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 one week 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. Consequently, connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar(CO)
11.12.2018

***Corrected as per order of
this Court dated 14.12.2018
Crl.O.P.No.28666 of 2018
and Crl.M.P.Nos.16690 & 16691 of 2018
-s/d-
Assistant Registrar(CO)
dated 17.12.2018**

//True Copy//

Sub Assistant Registrar

rpl
To

1.The Principal Sessions Judge, Chennai.

2.V Metropolitan Magistrate,
Egmore, Chennai.

3.The Sub-Inspector of Police,
K-8, Arumbakkam Police Station,
Chennai-600 106.

4.The Sub Assistant Registrar,
Account Section, High Court,Madras.

5.The Public Prosecutor, High Court, Madras.

+lcc to Mr.T.V.Vineeth Kumar, Advocate, S.R.No.87237

**To be Substituted for
the order already
despatched on
12.12.2018**

Crl.O.P.No.28666 of 2018

RJI (CO)
rrs 11/12/2018
CS/18/12/2018