



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 17.10.2019  
CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

Crl.O.P.(MD)No.4715 of 2015 and  
M.P.(MD)No.1 of 2015

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1. Meena
2. Suresh Balaiah
3. Siva Gurunathan @ Ramesh Balaiah

... Petitioners/Accused No.1 to 3

Vs.

1. The State represented by,  
The Inspector of Police,  
Malli Police Station,  
Virudhunagar District.  
(Crime No.34 of 2015)

... Respondent/Complainant

2. Krishnan

... Respondent/Defacto Complainant

**Prayer:** Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the entire records pertaining to the case in Crime No.34 of 2015 on the file of the Inspector of Police, Malli police station, Virudhunagar District and quash the same.

|                 |                                                    |
|-----------------|----------------------------------------------------|
| For Petitioners | : Mr.R.Anand                                       |
| For R-1         | : Mr.A.Robinson,<br>Government Advocate(Crl. Side) |
| For R-2         | : Mr.N.Mohideen Basha                              |

### O R D E R

The petitioners filed this Criminal Original petition for quashing the impugned First Information Report.

2. When the matter was taken up for disposal, the petitioners' counsel submitted that the matter has been amicably resolved. But the learned counsel appearing for the defacto complainant is not having instructions in this regard.

3. The Criminal Original petition stands dismissed. However, it is made clear that if the second respondent appears before the first respondent and informs the investigation officer that he is not interested in pursuing the matter, the investigation officer shall file an "Action Dropped" report. If the defacto complainant does not appear, it is open to the investigation officer to proceed



with the matter in accordance with law. Consequently, connected Miscellaneous petition is closed.

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// True Copy //

Sd/-

Assistant Registrar (CS-II)

Sub Assistant Registrar(CS )

pmu

**To:**

1. The Inspector of Police,  
Malli police station, Virudhunagar District.
2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.
3. The Section Officer, Criminal Section,  
Madurai Bench of Madras High Court, Madurai.

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MK (13.12.2019) 2P 5C