



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.10.2019

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI OP(MD)No.8600 of 2015

and

MP(MD)No.1 of 2015

WEB COPY

1.A.K.T.Raja

2.R.Rani

... Petitioners / Accused Nos.1 & 2

Vs.

1.The State, rep.by
The Inspector of Police,
District Crime Branch,
Madurai District.
(Crime No.113 of 2013)

... 1st Respondent / Complainant

2.T.Ochammal

...2nd Respondent / Defacto complainant

Prayer : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to Cr.No.113 of 2013 dated 23.09.2013 on the file of the first respondent police and quash the same as illegal.

For Petitioner : Mr.J.Jeyakumaran

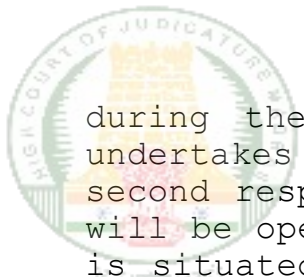
For Respondents : Mr.A.Robinson,
Government Advocate (crl.side) for R1

Mr.J.Senthil Kumaraiah for R2

ORDER

The petitioners are accused in Cr.No.113 of 2013 on the file of the District Crime Branch, Madurai District for the offences under Sections 406, 420 and 506(ii) IPC. The defacto complainant is none other than the mother of the first petitioner. This Court suggested to the counsel on either side to amicably resolve the issue. Today, the mother of the first petitioner as well as the first petitioner are present before me. The defacto complainant is residing in a house bearing Dr.No.9-7-9, Karuppukoil Street, Usilampatti Town, Ward No.18, Madurai District. It is actually in the name of the first petitioner. However, it is the defacto complainant T.Ochammal who is residing in the said house. The petitioners make it clear that Ochammal will reside in the said house till her life time.

2. The petitioners undertake not to encumber the said house



during the life time of Ochammal. The first petitioner also undertakes to remit a sum of Rs.5,000/- in the bank account of the second respondent every month on or before the 5th day. An account will be opened in the name of the second respondent in a bank which is situated close to the residence of the second respondent. The first petitioner has filed an affidavit and the same is placed on record. It is further stated that there are five small shops adjacent to the said house in which the second respondent is residing. The first petitioner is entitled to collect the rents from the occupiers of the said shops. The second respondent has no objection for quashing the impugned FIR. Since the parties have amicably resolved the issue, the impugned FIR stands quashed. This criminal original petition stands allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

Skm

To

The Inspector of Police, District Crime Branch, Madurai District.

+1 CC to M/s.J.JEYAKUMARAN, Advocate (SR-92836[F] dated 18/10/2019)

+1 CC to M/s.J.SENTHIL KUMARAI AH, Advocate (SR-93007[F] dated 18/10/2019)

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