



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.9828 of 2016

and

Crl.M.P. (MD)No.4947 of 2016

Justin Babu

... Petitioner/Accused

-vs-

1.The state represented by
The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District
(In Crime No.268 of 2014) ... Petitioner / Complainant

2.Sivamiras ... Respondent / Defacto Complainant

PRAYER: Petition filed under Section 482 of the Criminal Procedure Code to call for the records in connection with Crime No.268 of 2014 on the file of the Inspector of Police, Koodankulam Police Station, Tirunelveli District and quash the same.

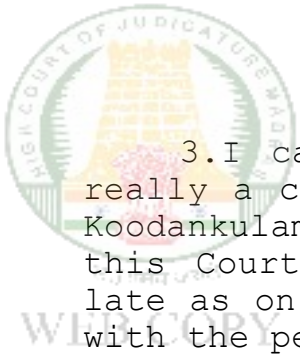
For Petitioner : Mr.B.Jeyakumar

For Respondents : Mr.A.Robinson
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed by the first accused in crime No.268 of 2014 registered on the file of the Koodankulam Police Station for the offences under Sections 147, 148, 447, 448, 294(b), 435, 506(ii) of IPC and Section 3 of TNPPDL Act for quashing the First Information Report.

2.This Criminal Original Petition has been filed on the premises that the issue has been amicably settled with the defacto complaint. However, the defacto complaint has not chosen to enter appearance before this Court.



3.I called upon the learned Government Advocate to verify if really a compromise has been arrived at. The Inspector of Police, Koodankulam Police Station, Tirunelveli District, now states before this Court that the defacto complainant has given a statement as late as on 26.01.2020 stating that he has not compromised the issue with the petitioner herein and he wants the prosecution to continue.

4. Therefore, this Criminal Original Petition is dismissed. It is made clear that I have not pronounced anything on the merits of the matter. The contentions and defences of the petitioner are left open. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

- 1.The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District
- 2.Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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and
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