

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.01.2021

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.16784 of 2015
and M.P. No. 1 of 2015

E.Kumaran,
Son of Elumalai

...Petitioner/2nd Accused

Vs.

1. State by
The Inspector of Police,
S-4, Nandambakkam Police Station,
Chennai - 600 089
(Crime No.327 of 2015)

2. Mrs. Santhi,
Wife of Babu

...Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code to call for the records and quash the FIR in Crime No.327 of 2015 registered for alleged offences under Sections 294(B), 323, 324 and 506(ii) of IPC on the file of the 1st respondent.

For Petitioner : Mr.T. Sai Krishnan for

Mr.Sai Bharath & Ilan

For R-1 : Mr.C.Iyyappa Raj,
Additional Public Prosecutor

For R-2 : No appearance

O R D E R

(The case has been heard through video conference)

The Criminal Original Petition has been filed by the Petitioner/A2, to call for the records and quash the FIR in Crime No. 327/2015 registered against the petitioner for the alleged offences under Section 294(b), 323, 324 & 506(ii) IPC on the file of 1st respondent.

2.The learned counsel for the petitioner is present before this Court today.

3.When the matter was listed on 06.01.2021, there was no representation for 2nd respondent. This Court finding that the issue relates to dispute between the neighbors in the same locality and that the 1st respondent police was unable to proceed with the investigation on account of stay had directed the respondent police to continue with the investigation and arrive at a finality and report before this Court on 27.01.2021.

4.Pursuant to the earlier order, it is reported by the learned Additional Public Prosecutor, that the case was taken up for enquiry and the 2nd respondent/de facto complainant Mrs.Santhi was called for enquiry. She had appeared before the respondent on 12.01.2021 and had informed that she is not interested in pursuing with the complaint and she has also withdrawn the complaint.

5.He would submit that based on the withdrawal of the complaint, the matter has been closed as "further action dropped". He would further submit that the 1st respondent will file the final report before the learned Judicial Magistrate, Alandur in due course.

6.Taking into consideration, the submission made by the learned Additional Public Prosecutor, the Criminal Original Petition stands dismissed as infructuous. Consequently, connected Miscellaneous Petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Inspector of Police,
S-4, Nandambakkam Police Station,
Chennai - 600 089.

2.The Judicial Magistrate
Alandur

3. The Public Prosecutor,
High Court of Madras,
Chennai

+1 CC to Mr.T. Sai Krishnan, Advocate sr 4649.

Cr1.O.P.No.16784 of 2015

AK(CO)
SP(22/02/2021)



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