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CrI.O.P.No.5143 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2022

CORAM:

THE HON'BLE Ms.JUSTICE **R.N.MANJULA**

CrI.O.P.No.5143 of 2021 and
CrI.M.P.Nos.3271 & 3272 of 2021

Rajendran

... Petitioner

Vs.

1.State Rep by
The Sub-Inspector of Police,
Central Crime Branch,
Egmore, Chennai.

2.Dr.M.R.Muralikrishnan

3.Mrs.Arthi

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in C.C.No.3946 of 2007 on the file of the Additional Chief Metropolitan Magistrate, Egmore, Chennai and quash the same.

For Petitioner : Mr.T.Balaji

For Respondents : Mr.A.Damodaran, APP for R1
Mrs.V.Rajeswari for R2 & R3



CrI.O.P.No.5143 of 2021

ORDER

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2. Heard Mr.T.Balaji, learned counsel for the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for the first respondent and Mrs.V.Rajeswari, learned counsel appearing for the second and third respondents.

3. When the matter was taken up for hearing today, the second and third respondents / defacto complainants and the petitioner / first accused were present before this Court. The parties have settled their dispute and a joint compromise memo along with a common affidavit was filed. The second respondent has received a demand draft of Rs.55,00,000/- with the consent of the third respondent as a full quit settlement.

4. The records would show that the accused have been charge sheeted for the offence under Section 420 r/w Section 34 of I.P.C. The case against A2



CrI.O.P.No.5143 of 2021

and A3 was already quashed by an order of this Court dated 28.10.2020, in CrI.O.P.Nos.4241 of 2017 and 26464 of 2019. So far as the offence under Section 420 is concerned, the same can be compounded with the permission of the Court if the person affected comes forward to compound the offence. In this case, a joint memo was filed by both the defacto complainant and the petitioner and both have signed the joint compromise memo. Since the loss sustained by the defacto complainants was redressed and the parties have also settled the matter, I feel permission can be granted to compound offence in terms of the joint compromise memo filed by the parties.

5. In view of the compromise arrived between the parties, this Criminal Original Petition is allowed and the charge sheet in C.C.No.3946 of 2007 on the file of the Additional Chief Metropolitan Magistrate, Egmore, Chennai, is quashed. The joint compromise memo shall form part of the order. Consequently, connected miscellaneous petitions are closed.

Index: Yes/No
Speaking / Non Speaking Order
gsk

30.09.2022



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CrI.O.P.No.5143 of 2021

R.N.MANJULA, J.

gsk

To

- 1.The Sub-Inspector of Police,
Central Crime Branch,
Egmore, Chennai.
- 2.The Public Prosecutor,
High Court, Madras.

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