



Crl.OP.No.27289 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2022

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

Crl.OP.No.27289 of 2022

and

Crl.MP.No.16758 of 2022

L.S.Arul

...

Petitioner/accused

/vs/

1.The State rep.by
The Inspector of Police,
Thiruvottiyur Police Station,
Washermanpet,
Chennai.
(Cr.No.762 of 2022)

...

1st Respondent/complainant

2.Vasuki

...

2nd respondent/ Defacto complainant

Prayer : Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure to call for the records and quash the proceedings against the Petitioner /Accused A6 in Crime No.762 of 2022 dated 04.10.2022 pending on the file of 1st respondent police.

For Petitioner

... Mr.C.S.Saravanan

For Respondent-1

... Mr.E.Raj Thilak
Additional Government Pleader



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ORDER

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The Criminal Original Petition has been filed to call for the records and quash the proceedings against the Petitioner /sixth Accused in Crime No.762 of 2022 dated 04.10.2022 pending on the file of the first respondent police.

2. Heard the submissions made on either side and perused the materials available on record.

3. The learned counsel for the petitioner submitted that on the complaint given by the *defacto* complainant a case has been registered against the petitioner in Crime No.762 of 2022 for the offences under Sections 406 and 420 of IPC.

4. The learned counsel for the petitioner submitted that there is no overt-act against the petitioner and he was also an affected party duty to the acts of accused 1 to 4. It is further submitted that the *defacto* complainant has got no grievance as against this petitioner and they have entered into a compromise between themselves and during that course the petitioner had handed over all the title documents in respect of the property belonging to the second respondent. The Compromised Deed dated 06.10.2022 is also produced for perusal.



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5. The learned Additional Public Prosecutor for the first respondent police submitted that the investigation is still pending and that there is no overt-act on the part of the petitioner; hence the action as against the petitioner would be dropped, though the investigation is continued as against the other accused.

6. By recording the above submission of the prosecution, this Criminal Original Petition is **allowed** and the proceedings in Cr.No.762/2022 pending on the file of the first respondent is quashed as against the petitioner/sixth accused. Consequently, connected miscellaneous petition is closed.

09.11.2022

jrs
Internet: Yes/No
Index: Yes /No
Speaking /Non Speaking



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R.N.MANJULA, J.

jrs

To

- 1.The Inspector of Police,
Thiruvottiyur Police Station,
Washermanpet, Chennai.
- 2.The Public Prosecutor,
High Court, Madras.

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