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Crl.O.P No.29406 of ----

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **01.12.2022**

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P No.29406 of 2022
and Crl.M.P. No.18022 of 2022

K.N.Redin

... Petitioner

Vs.

1. The State Represented by
Inspector of Police,
Central crime Branch - Team II,
Egmore, Chennai.

2. P.Shankar

... Respondents

Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records and quash the C.C. No.3739/2017 on the file of the Metropolitan Magistrate Court for CCB cases, Egmore, Chennai.

For Petitioner : Mr.Christopher Kishore Vincent

For Respondent-1 : Mr. E.Raj Thilak
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed to call for the records and quash the C.C. No.3739/2017 on the file of the Metropolitan Magistrate Court for CCB cases, Egmore, Chennai.

2. Heard Mr.Christopher Kishore Vincent, learned counsel for the petitioner and Mr.E.Raj Thilak, learned Additional Public Prosecutor appearing for the first respondent.

3. The learned counsel for the petitioner submitted that parties have amicably settled the issue between themselves and in view of that the second respondent / *de facto* complainant does not want to pursue the matter further. The second respondent had filed an affidavit dated 22.11.2022 stating that the petitioner had settled the amount and he has no objection to quash the proceedings.

4. When the matter is taken up today, the petitioner and the second respondent/*de facto* complainant were present before this Court and identified by their respective counsel and Ms.A.Menaga, Inspector of Police, CCB,



EDF-1, Team-II. In order to identify the respective parties, they have also produced the copies of the Aadhaar Cards. The affidavit filed by the second respondent was read over to the petitioner and the second respondent. The second respondent accepted it to be true and stated that it has been filed by him without any coercion or influence.

5. The *de facto* complainant stated that he has received a sum of Rs.3,00,000/- from the petitioner. He further stated that due to their long term relationship, he wishes to continue the relationship by burying the hatchet.

6. The learned Additional Public Prosecutor submitted that there is no previous case pending against the petitioner.

7. Since the parties have amicably settled the dispute between themselves, no useful purpose will be served in keeping the proceedings pending. Even though, the offences involved are not compoundable in nature, in the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujarath)**, this Court in exercise of power under Section 482 Cr.P.C. prefers to quash the proceedings in C.C. No.3739/2017.



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8. In the result, this Criminal Original Petition is allowed and as a sequel, the further proceedings in C.C. No.3739/2017 on the file of the Metropolitan Magistrate Court for CCB cases, Egmore, Chennai, is quashed. The affidavit filed by the second respondent shall form part of this order. Consequently, connected Miscellaneous Petition is closed.

01.12.2022

Index : Yes/No
Speaking Order : Yes / No
bkn



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To:

1. The Inspector of Police,
Central crime Branch - Team II,
Egmore, Chennai.

2. The Public Prosecutor,
High Court, Madras.



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R.N.MANJULA, J.,

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