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Crl.O.P.No.10120 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No. 10120 of 2021

and

Crl.M.P.Nos. 6140 & 6141 of 2021

1. V.Vivekanandan

2. V.Krishnaveni

... Petitioners / Accused 1 & 2

Vs

1. State Rep. By its
The Inspector of Police,
Central Crime Branch,
Chennai.

... Respondent/Complainant

2. T.Vijayakumar

... Respondent/De-facto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C.
praying to call for all the records and quash the proceedings in C.C.No.70 of
2017 on the file of the learned Judicial Magistrate No.I, Poonamallee.

For Petitioners	: Mrs.S.S.Jayanthi for Mr.S.C.Pratheep Ashok Kumar
For R1	: Mr.A.Gopinath Government Advocate (Crl.Side)
For R2	: Mr.S.Sheik Ismail



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ORDER

This petition has been filed to quash the proceedings in C.C.No.70 of 2017 on the file of the Judicial Magistrate No.I, Poonamallee.

2. The learned Government Advocate (Crl.Side) appearing for the first respondent would submit that there are totally 118 prosecution witnesses, out of which, they had examined 41 witnesses. Therefore, already the trial has commenced. At this stage, the proceedings cannot be quashed.

3. The learned counsel appearing for the petitioners would submit the petitioners are ready and willing to settle the issue and also produced Demand Draft for a sum of Rs.46,00,000/-. However, the second respondent is not willing for any settlement, since already the trial has commenced. Out of 118 prosecution witnesses, 41 witnesses were examined.

4. In view of the above submissions, this Court is not inclined to quash the proceedings in C.C.No.70 of 2017 on the file of the Judicial Magistrate No.I, Poonamallee. However, if any settlement is arrived at between the petitioners and the second respondent, the Trial Court is directed to consider the same and pass orders in accordance with law.



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5. In the result, this Criminal Original Petition stands dismissed.

WEB Consequently, connected miscellaneous petitions are closed.

19.10.2023

Internet : Yes / No

Index : Yes / No

Speaking / Non Speaking order

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To

1. The Judicial Magistrate No.I,
Poonamallee.

2. The Inspector of Police,
Central Crime Branch,
Chennai.

3. The Public Prosecutor
Madras High Court,
Chennai.

G.K.ILANTHIRAIYAN, J.



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