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Crl.O.P.No.10358 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2023

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.10358 of 2021

and

Crl.M.P.No.6249 of 2021

Saravanan

... Petitioner

Vs.

1. The State Rep. by
The Inspector of Police,
H-1 Washermentpet Police Station,
Chennai - 600021

2. Akber Basha

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code seeking to call for the records of the case pending trial in CC No.1502 of 2019 in Crime No.569 of 2018 on file of the learned XV Metropolitan Magistrate George Town, Chennai and quash the same.

For Petitioners : M/s.Lita Srinivasan

For Respondent : Mr.A.Damodaran, Addl. Public Prosecutor [R.1]

: Mr.A.Thirumaran [R.2]

ORDER



The petition is to quash the final report for the offences under Section 294(b), 323 and 506(ii) IPC read with Section 34 of Indian Penal Code.

2. It is informed by the learned counsel that on the complaint of the petitioner a final report is pending trial in C.C.No.1505 of 2019 before the same learned Magistrate against the second respondent/de facto complainant. Today, when the matter is called, the learned counsels for the petitioner and the second respondent submitted that parties have arrived at a settlement and prayed for quashing of the final reports in C.C.Nos.1502 & 1505 of 2019, pending against both of them on the basis of the compromise.

3. Both the parties are present today and have signed the Joint Memo of Compromise along with their learned counsels. The parties were identified by Mr.Chelliah, Head Constable, H-1, Washermanpet Police Station, Chennai. The said Joint Memo of Compromise is taken on record.

4. In view of the above compromise, this Court is inclined to quash both the final reports in C.C.Nos.1502 & 1505 of 2019, although there is no formal application for quashing the proceedings in C.C.No.1505 of 2019.



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5. In view of the settlement arrived at between the parties, no useful purpose would be served in keeping the proceedings pending on the file of the XV Metropolitan Magistrate, George Town, Chennai. Hence, the final reports in C.C.Nos.1502 & 1505 of 2019 are quashed.

6. With the above observations, the Criminal Original Petition is allowed. Consequently, the connected Miscellaneous Petition is closed.

28.04.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
shr

To

1. The Inspector of Police,
H-1 Washermentpet Police Station,
Chennai – 600021.
2. The XV Metropolitan Magistrate George Town, Chennai.



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SUNDER MOHAN. J,

shr

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