



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.10.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22415 of 2023
and
Crl.M.P. Nos.15586 & 15588 of 2023

1.I.Sathyanathan

2.S.Suresh

... Petitioners

-VS-

1.The Inspector of Police,
Central Crime Branch,
Team -4 EDF-II,
Vepery, Chennai – 600 007.

2.M.Chandrasekaran

...Respondents

PRAYER : Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records relating to the C.C.No.9135 of 2021 on the file of the learned CCB/CBCID Magistrate Court, Egmore, Chennai – 600 008.

For Petitioners : Mr.T.Ramachandran

For Respondents : Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)



ORDER

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The petitioners herein are the accused in C.C. No.9135 of 2021 on the file of CCB/CBCID Magistrate Court at Egmore seeks indulgence of this Court to quash this case on the ground that pending investigation, they have settled the entire amount due to the defacto complainant and compromise has been drawn between the parties. This fact has been recorded as a statement by the trial Court on 11.01.2023, alleging that in respect of the defacto complainant, he is ready to withdraw the complaint and settle the dispute, but no order was passed by the trial Court and hence this Petition.

2. The records indicates that final report against the accused filed and cognizance taken by the trial Court against these accused including the petitioner for alleged offence under Section 406, 420, 506(i) r/w 34 of IPC. If the defacto complainant has subsequently given any statement regarding settlement of the money in dispute, the learned Judicial Magistrate shall take note of the fact and when the parties file a memo to compound the offences which are compoundable, the learned Magistrate shall consider the application for plea bargaining in exercise of power under Section 265(B) of Cr.P.C and proceed further as contemplated under Section 265(B) of Cr.P.C.



3. With the above direction, this Original Petition is disposed of. The petitioner is directed to file appropriate memo on the above line before the learned Magistrate and on such memo/application filed, the learned Magistrate shall proceed and dispose of the said application within a period of two months. Connected Miscellaneous Petitions are closed.

06.10.2023

Internet : Yes/No

Index : Yes/No

rkp

To

1. The CCB/CBCID Magistrate,
Egmore, Chennai.

2. The Inspector of Police,
Central Crime Branch,
Team -4 EDF-II,
Vepery, Chennai – 600 007.

3. The Public Prosecutor,
Madras High Court, Madras.



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Dr.G.JAYACHANDRAN, J.

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