



WEB COPY

Crl.OP No.25503 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30-11-2023

CORAM

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Crl. OP No.25503 of 2023

And

Crl.MP No.17693 of 2023

1.A.Athithyan

2.Arumugam

... Petitioners/Accused

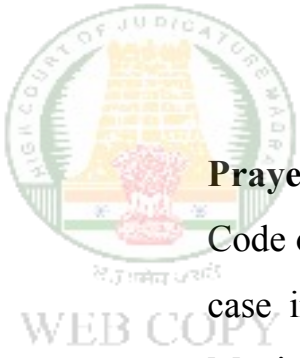
Vs.

State Represented by
The Inspector of Police,
City Crime Branch,
Coimbatore District.
(Crime No.42 of 2021)

... R-1/Complainant

R.Prabakar

... R-2/Defacto Complainant



Prayer: Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure, to call for the entire records connected with the case in CC No.1502 of 2023 pending on the file of the learned judicial Magistrate No.VII, Coimbatore and to quash the same.

For Petitioners	: Mr.M.V.Bibin Mahesh for Mr.T.Shanmugaboopathi
For Respondent-1	: Mr.Leonard Arul Joseph Selvam, Government Advocate (Criminal Side).

ORDER

The present Criminal Original Petition has been filed to quash the Criminal Case pending trial in CC No.1502 of 2023 on the file of the learned Judicial Magistrate No.VII, Coimbatore for the offence under Sections 406, 420 and 120-B IPC.

2. The learned counsel appearing on behalf of the petitioners/accused submits that even before filing the Final Report, the money dispute, between the complainant and the accused, was settled amicably. Despite



that, the Investigation Officer (IO) has filed the Final Report and the same taken on file by the learned Judicial Magistrate and summon has been issued for appearance on 23.01.2024.

3. The learned Government Advocate (Criminal Side), appearing on behalf of the first respondent, submits that the subsequent settlement between the parties in an offence punishable under Sections 406, 420 and 120-B IPC has not been reported to the Investigation Officer and hence the investigation has culminated in filing the Final Report.

4. In view of the above facts and the submissions made by the learned counsel appearing on behalf of the petitioners, it is suffice to direct the petitioners herein to appear before the Trial Court on 23.01.2024, the date on which summons issued to them for appearance and report before the learned Judicial Magistrate for compromise and seek for compounding the offence under the Code. If any such application is made, the Trial Court shall dispose of the same in accordance with law.



5. With the above directions, the present Criminal Original
Petition stands disposed of. Consequently, the connected Criminal
Miscellaneous Petition is closed.

30-11-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn



To

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- 1.The Judicial Magistrate No.VII,
Coimbatore.
- 2.The Inspector of Police,
City Crime Branch,
Coimbatore District.
- 3.The Public Prosecutor,
High Court of Madras,
Chennai.



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DR.G.JAYACHANDRAN, J.

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