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Crl.O.P.No.7750 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2024

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.7750 of 2022
and Crl.M.P.No.4486 of 2022

Kevin

... Petitioner

Vs.

1.State rep. By
The Inspector of Police
CCB, EDF II, Team-IXA,
Vepery, Chennai.
Crime No.363 of 2016

2.Newman

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records in C.C.No.6202 of 2018 on the file of the Chief Judicial Magistrate, CCB- CBCID Metropolitan Magistrate, Egmore, Chennai-8 and quash the same.

For Petitioner	: Mr.P.Saranath
For R1	: Mr.S.Vinoth Kumar
	Government Advocate (Crl.Side)

ORDER

The petitioner has filed this petition to quash the C.C.No.6202 of 2018 on the file of the Chief Judicial Magistrate, CCB- CBCID Metropolitan Magistrate, Egmore, Chennai-8.



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2. The learned counsel for the defacto complainant / R2 submitted that as per the terms of Compromise memo and as well as the undertaking affidavit given before the Hon'ble Supreme Court in Special Leave Petition (Criminal)No.7660 – 7661 of 2023, due to Civil proceedings, the petitioner has not complied the terms as agreed.

3. By way of reply, the learned counsel for the petitioner submitted that the petitioner had entered into compromise to hand over 20 % of the total compromise amount i.e., Rs.22,00,000/- (Rupees twenty two lakhs only) on or before 30.08.2023 to the defacto complainant. To that effect undertaking affidavit also submitted before the Hon'ble Supreme Court of India.

4. On a perusal of the records, it reveals that, the petitioner is not inclined to comply the terms as per compromise. Therefore, this Court is not inclined to quash the proceedings in C.C.No.6202 of 2018 on the file of the Chief Judicial Magistrate, CCB- CBCID Metropolitan Magistrate, Egmore, Chennai-8.



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WEB COPY 5. Accordingly, this Criminal Original Petition is dismissed.

Consequently, the connected miscellaneous petition is closed.

06.02.2024

Index: Yes/ No

Neutral Citation: Yes/No

rri

To

1.The Inspector of Police
CCB, EDF II, Team-IXA,
Vepery, Chennai.
Crime No.363 of 2016

2.The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI, J.

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