



WEB COPY



Crl.O.P.No.31852 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2024

CORAM :

THE HON'BLE MRS. JUSTICE T.V. THAMILSELVI

Crl.O.P.No.31852 of 2022

and

Crl.M.P.No.19545 of 2022

1.D.Sakthivel
2.Harikrishnan

... Petitioners

Versus

1.State rep. by,
The Sub- Inspector of Police,
E-1, Mylapore Police Station,
Mylapore, Chennai-600 004.

2.M.Kanagaraj

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, praying to call for the records pertaining to the FIR in Crime No.1004 of 2021, on the file of the respondent police and quash the same.

For Petitioners : Mr.V.Ramanareddy

For R1 : Mr.S.Vinoth Kumar
Government Advocate (Cr.Side)



Crl.O.P.No.31852 of 2022

For R2 : Notice served

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ORDER

This petition has been filed to quash the proceedings in Crime No.1004 of 2021, on the file of the respondent police, for the offences under Section 304A of IPC, 1860.

2. When the matter is taken up today, both the defacto complainant and the petitioners were appeared along with their respective counsels, before this Court.

3. The learned counsel for the petitioner submitted that out of the compensation amount, a sum of Rs. 2,00,000/- was paid to the defacto complainant. The defacto complainant also admits that he received the compensation amount, a sum of Rs. 2,00,000/-, in cash. As per the investigation of the learned Government Advocate (Crl. Side), it reveals that the deceased wife got married with another man and has been living separately for a long time. As of the current date, the defacto complainant is considered the sole legal heir of the deceased, and he has received compensation. Furthermore, he is not inclined to proceed with the case any

further. He is the brother of the deceased, Arumugam.



Crl.O.P.No.31852 of 2022

WEB COPY 4. The learned Government Advocate (Crl.Side) appearing for the 1st respondent submitted that based on the complaint lodged by the defacto complainant FIR was registered in Crime No.1004 of 2021, for the offences under Section 304A of IPC.

5. Considering the facts and circumstances and also considering the submissions made by both side counsels, this Court is inclined to quash the proceedings in Crime No.1004 of 2021, on the file of the respondent police, against these petitioners.

6. Accordingly, this Criminal Original Petition is allowed. Consequently, the connected Miscellaneous petition is closed.

27.02.2024

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation: Yes/No
rri

To
1.The Sub- Inspector of Police,
E-1, Mylapore Police Station,
Mylapore, Chennai-600 004.



WEB COPY

2. The Public Prosecutor,
High Court of Madras.



CrI.O.P.No.31852 of 2022

T.V.THAMILSELVI, J.

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