

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.10450 of 2015

1.MUTHUKUMAR

... PETITIONER

Vs.

1. THE STATE

REP. BY INSPECTOR OF POLICE
R-9, VALASARAVAKKAM POLICE STATION
CHENNAI - 87

2. MR.SHANKAR NARAYANAN

... RESPONDENTS

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in Crime No.668 of 2015 pending on the file of the Inspector of Police, R-9 Valasaravakkam Police Station and quash the same.

For Petitioner : Mr.A.Sivasubramani

For Respondent-1 : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

The petitioner has filed this petition challenging the proceedings initiated in Crime No.668 of 2015 on the file of the Inspector of Police, R-9 Valasaravakkam Police Station.

2. For the sake of convenience, the parties would be referred to by their name.

3. On a complaint lodged by Shankar Narayanan that his car was damaged by Muthukumar, the first respondent police registered a case in Crime No.668 of 2015 on 13.2.2015 for the offence under section 435 IPC r/w Section 3 of Tamil Nadu Property (Prevention of Damages and Loss) Act, 1992. During the course of investigation, it appears that Muthukumar (accused) and Shankar Narayanan (defacto complainant) appear to have arrived at an amicable settlement and

they have entered into a memorandum of compromise on 15.04.2015 and in this regard, Shankar Naryanan has agreed to withdraw the complaint in Crime No.668 of 2015.

4. Today, both Muthukumar and Shankar Naryanan are present before this Court and they filed a joint affidavit, in which in paragraph No.4, it is stated as follows:

"4. We submit that in view of the compromise arrived between us it had been agreed between ourselves to withdraw the complaint on the file of R.9, Valasaravakkam Police Station, bearing FIR No.668 of 2015. We further submit that we do not have any objection to quash the FIR No.668 of 2015 on the file of the first respondent. We further submit that we do not have any future claim against each other.

In view of the above mentioned, it is humbly prayed that this Hon'ble Court may be pleased to take this Memo on record and pass appropriate orders or other order (s) as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice."

5. In view of the above, the proceedings launched against the petitioner in Crime No.668 of 2015 on the file of the first respondent is quashed. Hence, the Criminal Original Petition is allowed.

Xerox Copy of Joint Affidavit is enclosed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ajr

To

1. THE INSPECTOR OF POLICE
R-9, VALASARAVAKKAM POLICE STATION,
CHENNAI - 87
2. THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS

+lcc to Mr.Siva Subramani, Advocate, S.R.No.27018

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KM(CO)
CA(12/06/2015)