

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.14747 of 2015

1.K.A.J.Mohamed Meera Sahib
2.Mohamed Sadik
3.Mohamed Lebbai

...

Petitioners

Vs

1.State by
The Inspector of police,
Team-I, EDF-I,
Central Crime Branch,
Vepery, Chennai-7.

2.M.M.Muhammad Izzadeen

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to quash the FIR dated 24.04.2015 in Crime No.154 of 2015 on the file of the 1st respondent police.

For Petitioner :Mr.R.Neethi Perumal

For Respondents :Mr.C.Emalias
Additional Public Prosecutor for R1
T.M.Naidu & Co for R2.

ORDER

This petition has been filed to quash the FIR dated 24.04.2015 in Crime No.154 of 2015 on the file of the 1st respondent police.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the 1st respondent and perused the material placed on record.

3.On the complaint lodged by one M.M.Muhammad Izzadeen, the defacto complainant herein, a case has been registered in Crime No.154 of 2015 for offences under Sections 406, 420 and 506(ii) IPC against three accused, who are the petitioners, before this Court. It is represented by the learned counsel on either side that the parties have arrived at an amicable settlement among themselves and therefore, the FIR may be quashed.

4.Today, Mr.M.M.Muhammad Izzadeen, the defacto complainant, is present before this Court and he was identified by Mr.M.Clastin Davz, EDF-I, Team-I, Central Crime Branch, Vepery, Chennai. He has also filed an affidavit, wherein he has stated as follows:

"1.I am the defacto complainant in FIR in Crime No.154 of 2015 dated 24.04.2015 pending on the file of the 1st respondent herein and as such I am well aware of the facts and circumstances of the instant case.

2.I humbly state that due to the mediation and persistence of family members, I had accepted for settlement. Hence, I do not want to pursue the FIR No.154/15. Hence, I withdraw the case in FIR Cr.No.154/2015 on the file of the 1st respondent. I am also willing to appear before this Hon'ble Court to depose and withdrawn the FIR in Crime No.154/15."

5.Recording the above, this Criminal Original Petition is allowed and the FIR in Crime No.154 of 2015 on the file of Team-I, EDF-I, Central Crime Branch, Vepery, Chennai, is quashed, relying upon the Judgment of the Hon'ble Supreme Court in Narindar Singh and Others v. State of Punjab and another reported in (2014) 6 SCCF 466.

6.It is represented by the learned counsel for the petitioner that the police have issued a look out notice against A2-Mohamed Sadik, which may be recalled. It is needless to state that when once FIR is quashed, any look out notice issued on the basis of FIR will have to be recalled by the police.

mps

s/d-
Deputy Registrar(J)

True Copy

Sub-Assistant Registrar

सत्यमेव जयते

To

1.The Inspector of Police,
Team-I, EDF-I,
Central Crime Branch,
Vepery, Chennai-7.

2.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.T.M.Naidu & Co Advocate SR 31177

ksj(co)
prk 9/7

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