

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.1499 of 2015

and

M.P.No.1 of 2015

S.Kannabiram Petitioner/Accused

Vs

1. State rep. by
Inspector of Police,
Vellore North Police Station,
Vellore,
Vellore District.
Cr.No.10/2015

2. Dr.R.T.Sangeetha Respondents/Complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in Crime No.10 of 2015, pending investigation on the file of the first respondent and quash the same.

For Petitioner :Mr. Karthik,
for M/s.T.S.Gopalan and Co.

For Respondent :Mr.C.Emalias
Additional Public Prosecutor for R1

ORDER

The petitioner seeks a direction to call for the records in Crime No.10 of 2015, pending investigation on the file of the first respondent and quash the same.

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

3. On a complaint lodged by Sangeetha, the defacto complainant, the respondent police registered a case in Crime No.10/2015 on 06.01.2015 for the offences under Sections 406, 420, 465, 468, 471 IPC r/w. 109 IPC and Section 4 of Women Harassment Act against the petitioner herein. The crux of the allegation of the complainant is that the petitioner, who was the Manager of Sayar Cars has sold a car to the defacto complainant, which had earlier met with an accident, but, the fact that the car had met

with accident was suppressed by the petitioner and it was sold to the defacto complainant.

3. During the course of investigation, it appears that the defacto complainant and the petitioner have entered into an amicable settlement and that the petitioner's company has repaid a sum of Rs.5,62,950/- to the defacto complainant. The defacto complainant was present before this court on 30.01.2015 and she has stated that she has entered into an amicable settlement with the petitioner.

4. Today, the respondent police is present and they have filed a status report, in which, in para No.5, it is stated as follows:

"It is submitted that on 07.01.2015, the officials of M/s. Sayar Car given a State Bank of India cheque for an amount of Rs.5,62,950/- vide No.361760 to the defacto complainant. Based on the amicable settlement among the defacto complainant and the M/s.Sayar Cars, Vellore, the defacto complainant given a letter to the Managing Director of M/s.Sayar Car given an undertaking to the effect that she will withdraw the police complaint preferred before the North Police Station, Vellore in Crime No.10/2015 under copy marked to me."

5. In view of the above, relying upon the judgment of the Hon'ble Supreme Court in Gold Quest International Private Limited Vs. The State of Tamil Nadu and others, 2014 SCC 684, F.I.R in Crime No.10/2015 is hereby quashed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

mrp

To

1. Inspector of Police,
Vellore North Police Station,
Vellore,
Vellore District.

2.The Public Prosecutor,
High Court, Madras.

1 cc to M/s.T.S.Gopalan and Co., Advocate Sr.No.27932

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bvr(coi)

pmk.19.8.2015