

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. No.18014 of 2015

S.Chandrasekaran

...Petitioner/Accused

Vs.

1. State rep. by

Sub Inspector of Police,
Central Crime Branch,
Team XI, Bank Fraud Wing,
Vepery, Chennai 600 007.

... Respondent/Complainant

2.S. Karunakaran

... Respondent/Defacto Complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and quash the proceedings in C.C.No.40 of 2015 on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai.

For Petitioner : Mr. L. Baskaran

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

ORDER

Seeking a direction to call for the records and quash the proceedings in C.C.No.40 of 2015 pending on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai, the petitioner has come up with the present petition.

2. It is seen that on a complaint lodged by one Karunakaran, the respondent police registered a case in Crime No.312 of 2011 and after completion of investigation filed final report in C.C.No.40 of 2015, before the XI Metropolitan Magistrate, Saidapet, Chennai, for offences under Sections 404, 419, 465, 467, 468, 471 and 420 of IPC. Challenging which, the accused has come up with the present petition.

3.Today, when the matter is taken up for hearing, the defacto complainant, Karunakaran is present and he is being identified by the first respondent police officer and it is submitted that the petitioner/accused and the defacto complainant have arrived at a amicable settlement. A joint memo of compromise is also filed duly signed by the petitioner/accused and the defacto complainant in which, it is stated as follows:

" The petitioner/accused and his brother namely, Karunakaran (defacto complainant) are living peacefully with their respective families and they are decided to share the family property amicably and they are keen to dispose the Criminal case pending in C.C.No.40 of 2015 and hence, filing this compromise memo.

It is therefore, most humbly prayed that this Hon'ble Court may be pleased to record the compromise memo and quash the C.C.No.40 of 2015 pending on the file of the Hon'ble XI Metropolitan Magistrate Court at Saidapet and pass any order or orders as the Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice."

4. In view of the fact that the petitioner/accused and the defacto complainant being brothers, have arrived at a amicable settlement, the prosecution in C.C.No.40 of 2015 pending on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai is hereby quashed.

Hence, this Criminal Original Petition is allowed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1.The XI Metropolitan Magistrate, Saidapet, Chennai.

2. do thro the Chief Metropolitan Magistrate
Chennai

3.The Sub Inspector of Police,
Central Crime Branch,
Team XI, Bank Fraud Wing,
Vepery, Chennai 600 007.

4.THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS

1 cc to Mr.L. Baskaran, Advocate, Sr. 37704

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