

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28-8-2015

CORAM:

THE HON'BLE MR. JUSTICE P.N.PRAKASH

Criminal Original Petition No.18403 of 2015

1. T.Vijaya Rajan
2. K.M.Kunjali
3. Abubakker
4. R. Shanmugavelu ...Petitioners

Vs.

1. The State by Sub-Inspector of Police,
Valparai Police Station,
Coimbatore District
(Cr.No.35/2013)
2. Dr.Anandhan ...Respondents
(R-2 impleaded as per order of
the Court in M.P.No.1/2015
dated 28.8.2015 and made herein)

Criminal Original Petition filed under Section 482 of Code of Criminal Procedure with a prayer to quash the final report in C.C.No.26 of 2014 on the file of the learned Judicial Magistrate, Valparai, Coimbatore District.

For Petitioners : Mr.P.S.Kothandaraman

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

O R D E R

On a complaint lodged by Dr.M.Anandhan, the first respondent Police registered a case in Crime No.35 of 2013 and after completing investigation filed final report under section 420 I.P.C. in C.C.No.26 of 2014 before the Judicial Magistrate, Valparai, challenging which the petitioners/accused filed this quash petition on the ground that the matter has been amicably settled with

Dr.M.Anandhan/defacto complainant.

2. The crux of the allegation in the final report is that the petitioners/accused herein had obtained Rs.3,21,000/- from Dr.M.Anandhan, promising to cancel the transfer order, transferring him from Sirkali Taluk to Valparai, and that, neither the transfer order was cancelled nor petitioners/accused returned the money to Dr.M.Anandhan.

3. Today, Dr.M.Anandhan/second respondent herein is present and he has been identified by the first respondent Police.

4. It appears that the petitioners/accused herein approached this Court in Crl.O.P.No.4231 of 2013 for anticipatory bail and the matter was referred to the Mediation Centre by this Court. Before the Mediation Centre, the parties have arrived at a settlement, and they have also signed the Mediation Agreement dated 8.10.2013, the terms of which is as follows:

"Both sides, out of their own volition and without any pressure or coercion from any side have agreed as follows:

4. Petitioners and the Defacto Complainant agreed to settle the disputes amicably between them.

5. Defacto complainant agreed to give his consent to quash the complaint against the petitioners in Crime No.35/2013 on the file of the respondent/Sub-Inspector of Police, Valparai Police Station, Coimbatore District.

6. Petitioners and the Defacto Complainant agreed that they did not have any other claims against each other."

5. In view of the above, the prosecution against the petitioners/accused in C.C.No.26 of 2014, pending on the file of Judicial Magistrate Court, Valparai, is hereby quashed and the Criminal Original Petition is closed.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

vr

To

1. The Judicial Magistrate,
Valparai,
Coimbatore.
2. -Do- Through The Chief Judicial Magistrate,
Coimbatore.
3. The Sub-Inspector of Police,
Valparai Police Station,
Coimbatore District
(Cr.No.35/2013)
4. The Public Prosecutor,
High Court, Madras.

1 CC to Mr.P.S.Kothandaraman, Advocate SR.No. 46763

CrI.O.P.No.18403 of 2015

VD (CO)
PSI (10.09.2015)



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