

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2015

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

Crl.O.P.No.27041 of 2015

Mr.Neelakandan

... Petitioner

Vs.

1.State rep. by
Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai (Crime No.1135 of 2011).

2.R.Palanivel

... Respondents

Prayer: Petition filed under Section 482 of Cr.P.C., praying to call for the records in Crime No.1135 of 2011 on the file of the 1st respondent-Police and to quash the same.

For Petitioners : Mr.K.Kalaichelvan

For Respondents : Mr.C.Emalias, APP (For R1)

ORDER

This petition has been filed by the petitioner praying to quash the complaint in Crime No.1135 of 2011 on the file of the 1st respondent-Police. The petitioner herein has been arrayed as

accused in the said case.

2.The 2nd respondent/defacto-complainant has lodged a complaint as against the petitioner herein stating that by giving false promise that he would secure a job for the 2nd respondent, the petitioner received a sum of Rs.6 lakhs from the 2nd respondent and thereafter, cheated him. On the basis of the complaint given by the 2nd respondent, the 1st respondent-Police has registered a case in Crime No.1135 of 2011 under Section 420 IPC. Now, the petitioner has come forward with the present petition seeking to quash the complaint.

3.Today, when the matter is taken up for consideration, the learned counsel for the petitioner submitted that the matter has been amicably settled between the parties and to that effect a joint memo of compromise has also been filed by the parties. The 2nd respondent/defacto-complainant has also stated that he has no objection for quashing the complaint. The Memo of Compromise filed by the parties is recorded.

5.Heard both sides and and perused the materials available on record.

6.Considering the facts and circumstances of the case and in view of the compromise arrived at between the parties, I am of the opinion that the complaint in Crime No.1135 of 2011 on the file of the 1st respondent-Police is liable to be quashed and accordingly, the same is quashed. The Memo of Compromise filed by the parties shall form part of the order.

In fine, the criminal original petition is allowed.

14.12.2015

Index : Yes / No

Internet : Yes / No

ssv

To,

1.The Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai.

2.The Public Prosecutor,
Madras High Court, Madras.

R.SUBBIAH, J.
SSV

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