

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 9-10-2015

Coram

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.4548 of 2015

I.N.Ishak Ahmed

.. Petitioner

Vs.

1. Inspector of Police,
J.12 Kanthur Police Station,
Kanathur, Chennai.

2. Rasool Beevi .. Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C. with a prayer to quash the FIR No.677 of 2014 on the file of the Inspector of Police, J-12 Kanathur Police Station, Chennai.

For Petitioner : Mr.A.Ganesh

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

For 2nd Respondent : Mrs.Rasool Beevi
Party in person

O R D E R

For the sake of convenience, the parties will be referred to by their name.

2. On a complaint lodged by Rasool Beevi/second respondent herein, (defacto complainant), the first respondent/Police registered a case in Cr.No.677 of 2014 on 21.7.2014 under Sections 294(b), 380, 506(ii) IPC against I.N.Ishak Ahmed/petitioner herein (accused).

3. The crux of the allegation in the complaint is that Rasool Beevi's husband died, and after his death, I.N.Ishak Ahmed has been contending that Rasool Beevi's husband had borrowed money from him during his life time, and now demanding to return the said amount. It is further alleged in the FIR that I.N.Ishak Ahmed came to the house of Rasool Beevi on 11.7.2014, and when she was inside the kitchen, he had taken away Rs.8,000/- from the purse that was lying in the Dining Table.

4. Now it appears that I.N.Ishak Ahmed and Rasool Beevi have arrived at an amicable settlement and have filed a joint memorandum of compromise, wherein it is stated as follows:

"Due to intervention of elders and well wishers of both parties, the party of the first part and second part came to the settlement mutually by entering into this Memo of compromise.

1. The party of the second part agreed to compensate Rs.8,500 (Rupees Eight Thousand Five Hundred only) to party of the first part.

2. The party of the first part has agreed to receive the above said Rs.8,500 as full and final settlement.

3. The party of the First part agrees to above terms and as full and final settlement.

4. The party of the First part in view of the compromise between them she is not inclined to take any action against the party of the second part.

5. The party of the first part agrees to execute any such document as may be required in law to withdraw the complaint filed against the party of the second part before the Inspector of Police, J-12 Kanathur Police Station, Chennai in Crime No.677 of 2014."

5. Today Rasool Beevi is present in the Court and she confirmed that she has signed the memo of compromise on her own volition.

6. In view of the above, this petition is allowed and the FIR No.677 of 2014 on the file of the Inspector of Police, J-12 Kanathur Police Station, Chennai, is hereby quashed.

vr

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police, J-12, Kanathur Police Station, Kanathur, Chennai.

2. The Public Prosecutor, High Court, Chennai.

+ 1 cc to Mr.A.Ganesh, Advocate SR 55502

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