

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2015

CORAM :

THE HONOURABLE MR. JUSTICE P.N.PRAKASH

CrI.O.P.No.8566 of 2015

1.Sathish.R.
2.BalrajMenan,C
3.Thanikachalam.B

... Petitioners/ Accused 1 to 3

Vs.

1.State Rep.by
Inspector of Police,
S.4, Nandampakkam Police Station,
Chennai.

2.G.Manikandan ... Respondents/ Complainant

Prayer:- Petition has been filed under Section 482 of Cr.P.C. to call for the records in Crime No.213 of 2015 on the file of the first respondent police and quash the same.

For Petitioner : Mr.V.Sambamurthy

For R1 : Mr.C.Emalias

For R2 : Additional Public Prosecutor
Mr.K. Selvarangan

O R D E R

Heard Mr.V.Sambamurthy, learned counsel for the petitioner and Mr.C.Emalias, Additional Public Prosecutor for R1 and Mr.K.Selvarangan, learned counsel for R2.

2. It appears that the defacto complainant had purchased a vehicle on hire purchase agreement with Cholamandalam Investments and Finance Company Limited and had committed default in making payment. Therefore, the officials of the Company seized the vehicle, aggrieved by which, a case in Cr.No.213 of 2015, has been registered against the petitioners/accused herein. Aggrieved by the same, the petitioners/accused are before this Court to quash the F.I.R.

3. Today the defacto complainant himself has filed an affidavit wherein paragraphs 5 to 7 reads as follows:

"5. I state that I gave report to 1st respondent police for alleged seizure vehicle bearing No.TN.10.Y.4668 without intimation or notice to K.R.Sivaraman and same was registered in S4 Crime No.213/2015 on the file of 1st respondent.

6. I state that matter was amicably settled between Cholamandalam Finance and Rs.2,00,000/- was paid by K.R.Sivaraman out of Rs.3,75,000/- as agreed amount between Cholamandalam Investment and Finance Company Limited as full and final settlement towards the due of 3 vehicles mentioned above, and at the time of entering the Memorandum of Understanding on 10.03.2015 between the parties.

7. I state that I don't want to continue the prosecution and the above quash petition may be allowed since we had amicable settlement in the issue."

4. Mr.Selvarangan, learned counsel for the second respondent has submitted a demand draft bearing No.025670 dated 27.04.2015, (Axis bank, Koyambedu) for a sum of Rs.1,75,000/- drawn in favour of M/s.Cholamandalam Investment and Finance Company Limited, which has been handed over to the representative of the Cholamandalam Investment and Finance Company Limited, who is present today.

5. In view of the settlement arrived at between the parties, the F.I.R.is quashed.

6. In the result, this Criminal Original Petition is allowed.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

kkd

To

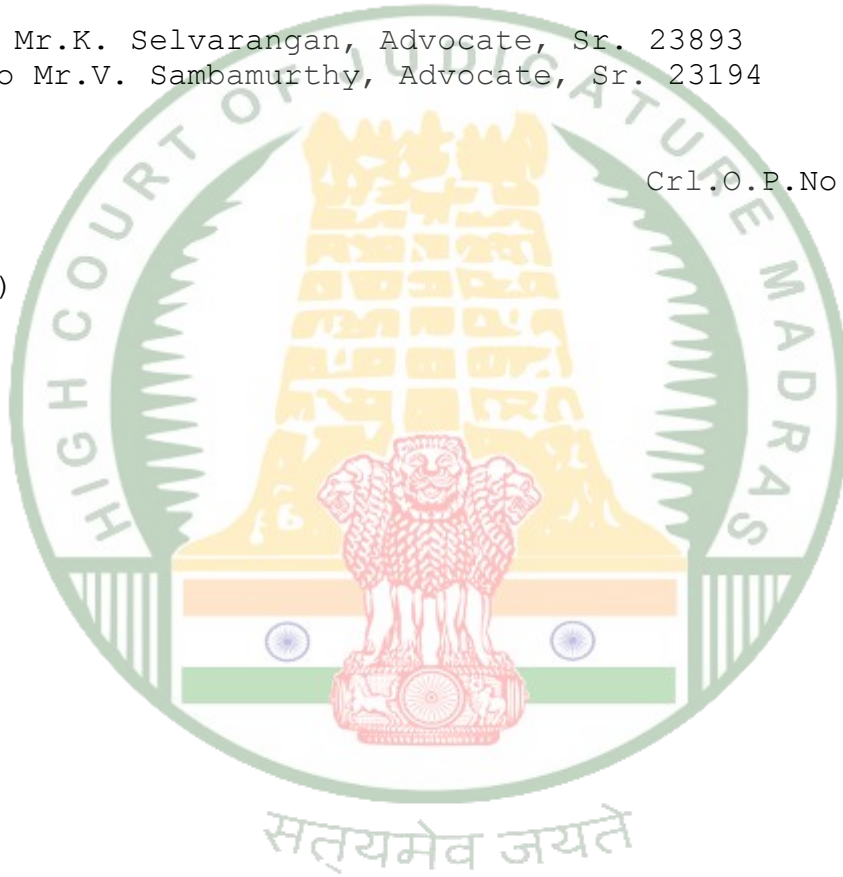
1.The Inspector of Police,
S.4, Nandampakkam Police Station,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

1 cc to Mr.K. Selvarangan, Advocate, Sr. 23893
2 ccs to Mr.V. Sambamurthy, Advocate, Sr. 23194

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