

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 6-10-2015

Coram

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.24892 of 2012
M.P.Nos.1 & 2 of 2012

P.Rajendran .. Petitioner/1st Accused

Vs.

1. The State of Tamilnadu
rep.by Assistant Inspector of Police,
EDF-I Section, Egmore,
Chennai
2. M/s.Upasana Finance Ltd.,
No.98A, Dr.Radhakrishnan Salai,
Mylapore, Chennai - 4,
rep.by its Manager,
R.Somasundaram .. Respondents/Complainant/
& Defecto Complainant.

Criminal Original Petition filed under Section 482 of Cr.P.C.
with a prayer to call for the records pertaining to impugned charge
sheet filed in C.C.No.1629 of 2012, pending on the file of XI
Metropolitan Magistrate's Court, Saidapet, Chennai-15 and quash the
same.

For Petitioner : Mr.R.Veeramani
for Mr.V.Raghavachari

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

For 2nd Respondent : Mr.Manoj Sreevalsan

WEB COPY
O R D E R

The complainant/2nd respondent herein has launched a
prosecution against the accused/petitioner herein in C.C.No.1629 of
2012 before the XI Metropolitan Magistrate, Saidapet, Chennai, for
the offence under Section 138 of Negotiable Instruments Act, 1881.

2. Now it appears that the complainant and the accused have
arrived at an amicable settlement. An affidavit sworn by
R.Somasundaram, Manager working in M/s.Upasana Finance Ltd.,
(complainant) has been filed wherein it is stated as follows:

"3. That during the pendency of these proceedings, this respondent and the above petitioners negotiated and arrived at a settlement. The terms of the said compromise was reduced in writing and filed before this Hon'ble Court in Civil Suit (C.S.) No.665 of 2001.

4. By this joint memorandum of compromise, the parties have given decent burial to their differences and amicably settled their dispute. The civil suit was disposed of in terms of said compromise. I crave leave of this Hon'ble Court be pleased to consider the judgment and decree dated 23.06.2015 made in C.S.No.665 of 2001 as part and parcel of this affidavit.

5. In view of the above, I have no objection and consent for quashing the following criminal complaints i.e,
i. C.C.No.2723/99 on the file of XVIII MM Court, Saidapet.
ii. C.C.No.10036/2008 on the file of XI MM Court, Saidapet, &
iii. C.C.No.1629/2012 on the file of XI MM Court, Saidapet."

3. In view of the above, this petition is allowed and the prosecution in C.C.No.1629 of 2012 on the file of XI Metropolitan Magistrate, Saidapet, Chennai, is hereby quashed. Connected miscellaneous petitions are also closed.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

vr

To

1. The XI Metropolitan Magistrate, Saidapet, Chennai.
2. The Chief Metropolitan Magistrate, Egmore, Chennai.
3. The Assistant Inspector of Police, EDF-I Section, Egmore, Chennai.
4. The Public Prosecutor, High Court, Chennai.

+1 cc to Mr.V.Raghavachari, Advocate, sr.54186

Cr1.O.P.No.24892 of 2012

msm co

kra-13/10

<https://hcservices.ecourts.gov.in/hcservices/>