

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP No.14504 of 2016

S.Poopandian

... Petitioner

Vs

1.State rep by
The Inspector of Police
Central Crime Branch - 7th Team
Vepery, Chennai 7.

2.J.R.Pradhan

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to accept the compromise arrived at by the petitioner and the 2nd respondent herein and quash the FIR in Cr.No.65 of 2016 on the file of the 1st respondent.

For Petitioner : Mr.A.M.Rahamath Ali

For R1 : Mr.C.Emalias
Additional Public Prosecutor

For R2 : Mr.S.Sasikumar

O R D E R

This petition has been filed to accept the compromise arrived at by the petitioner and the 2nd respondent herein and quash the FIR in Cr.No.65 of 2016 on the file of the 1st respondent.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. On the complaint lodged by J.R.Pradhan, the respondent police registered a case in Cr.No.65/2016 on 04.04.2016 for offences u/s 406, 420, 506(i) IPC and Sections 3, 4 and 9 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003 against Poopandian, challenging which this quash application has been filed for quashing the FIR, on the ground that the parties have arrived at a compromise.

4. When the matter was taken up for hearing, Mr.M.Karunanidhi, Inspector of Police, Central Crime Branch - 7th Team was present. Poopandian and J.R.Pradhan were also present and they have filed a joint affidavit, wherein it is stated as follows:

"d. We submit that the 2nd of us was unable to clear the dues to the 1st of us and the 1st of us was demanding payment of the dues and redemption of his property offered as collateral. Unable to bear the demand the 2nd of us filed a complaint and the complaint came to be registered in Crime No.65 of 2016 for alleged offences under sections 406, 420, 506(ii) IPC and 4 and 9 of the TN Prohibition of Charging Exorbitant Interest Act, 2003 against the 1st of us which is pending investigation with the 1st respondent herein.

e. We submit that the 1st of us filed an application for Anticipatory bail before this Honourable Court in CrI.O.P.No.8006 of 2016 and the matter was referred to mediation but the mediation was not successful before the mediation centre and the matter has been referred back to court.

f. We submit that after the failure of mediation before the mediation centre we got into further interaction with each other and have come to realise that it is only a matter of money that cannot be resolved by the criminal complaints preferred against each other and the only way to find a solution is by settling the issues among ourselves. We therefore discussed the matters pending between us and decided to settle the issues peacefully amongst ourselves and have entered into a comprehensive separate agreement to solve all the disputes."

In view of the above, this petition is allowed and the proceedings in Cr.No.65/2016 on the file of the first respondent police are quashed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gms

To

1.The Inspector of Police
Central Crime Branch - 7th Team
Vepery, Chennai 7.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.M.Rahamath Ali, Advocate, S.R.No.39019

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GJ(CO)
CA(29/07/2016)



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