

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.27988 of 2011

1. S.Balavenkatesh
2. S.Subash
3. V.Swarnalakshmi

.. Petitioners

Vs

The Inspector of Police  
R2, Kodambakkam Police Station,  
Kodambakkam, Chennai.

.. Respondent

Criminal Original Petition filed under Section 482 Cr.P.C.,  
praying to call for the records in Crime No.1391 of 2011 on the file  
of the respondent police and quash the same.

For Petitioners : Mr.C.B.Muralikrishnan

For Respondent : Mr.C.Emalias,  
Addl. Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to call for  
the records in Crime No.1391 of 2011 on the file of the respondent  
police and quash the same.

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

3. Today, Mr.Dhalavoi Samy, Inspector, R2 Kodambakkam Police  
Station, Chennai is present.

4. On the complaint lodged by one Selvam, the respondent  
police registered a case in Crime No.1391 of 2011 on 09.11.2011 for  
offence under Section 420 IPC against Venkatesh, Charles Immanuvel,  
Muthu, Swarnalakshmi and Subash, challenging which the petitioners  
are before this Court.

5. When the matter was taken up for hearing, learned  
Additional Public Prosecutor submitted that Selvam has given a  
letter dated 22.11.2016 to the police stating that the matter was  
amicably settled with the accused and he requested to close the FIR.  
The same has also been given by S.Balavenkatesh, the 1st accused to  
the police.

6. On a reading of the FIR, it is alleged by Selvam that he has taken on lease, the property belonging to the accused on 01.02.2011 by paying an advance of Rs.5,00,000/- (Rupees five lakhs only) and after having entered into the lease agreement, it is stated that the accused leased out the same property to another person. The dispute essentially appears to be contractual and civil in nature.

In view of the above, this petition is allowed and the FIR is hereby quashed.

-sd/-

Assistant Registrar

/ TRUE COPY /

Sub-Assistant Registrar

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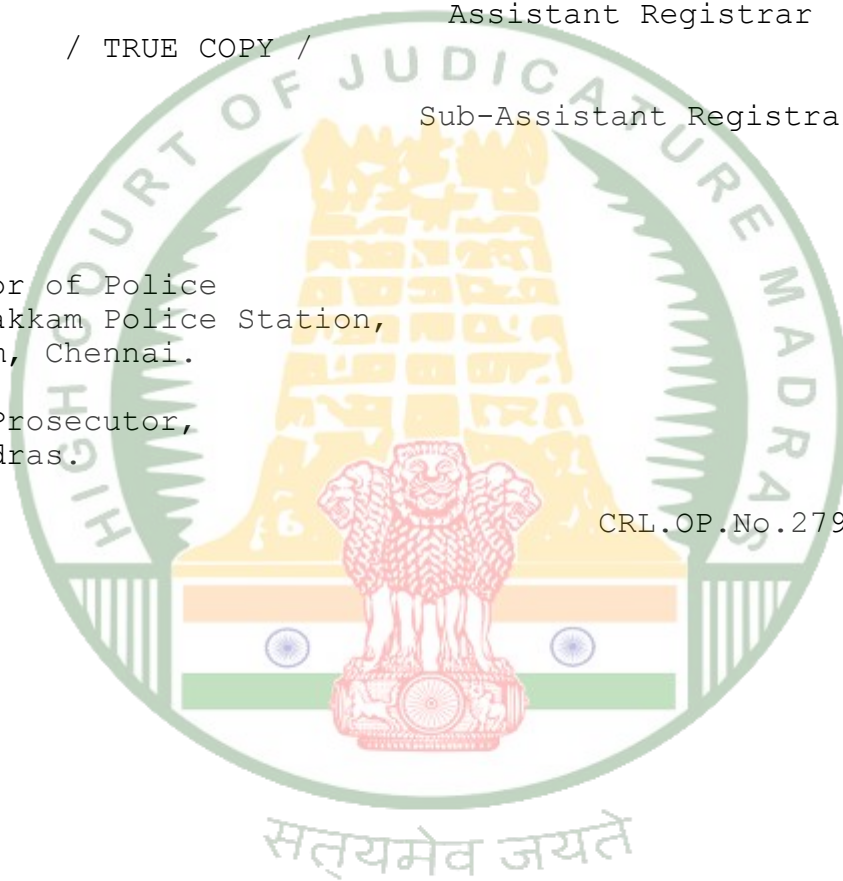
To

1. The Inspector of Police  
R2, Kodambakkam Police Station,  
Kodambakkam, Chennai.

2. The Public Prosecutor,  
High Court, Madras.

sst[co]  
RD 28/12/2016

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