

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2016

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

Crl.O.P.No.26164 of 2015

and

Crl.O.P.No.11999 of 2016

and

M.P.No.2279 of 2016 in Crl.O.P.No.14202 of 2015

and

M.P.No.6159 of 2016 in Crl.O.P.No.11999 of 2015

Mariappan

... Petitioner in Crl.O.P.11999/2016

... R1 in Crl.O.P.26164/2015

Vs.

1.State, rep. by its

... R1 in Crl.O.P.11999/2016

Inspector of Police,

... R2 in Crl.O.P.26164/2015

Crime J-1, Saidapet Police Station,

Chennai-15.

2.T.Mohan Babu

... R2 in Crl.O.P.11999/2016

... Petitioner in Crl.O.P.26164 of 2015

Prayer in Crl.O.P.11999 of 2015: Petition filed under Section 482 of Cr.P.C., praying to call for the records in Crime No.1390 of 2015 pending on the file of the 1st respondent-police and to quash the same.

Prayer in Crl.O.P.26164/2015: Petition filed under Section 482 of Cr.P.C., praying to cancel the Anticipatory Bail granted to the accused by order dated 29.07.2015 in Crl.O.P.No.14202/2015 by this Court.

Appearance:

Mr. C.S.Dhanasekaran - for petitioner in Crl.O.P.11999/2016 &
for R2 in Crl.O.P.26164/2015

Mr.VKR Balakrishnan - for petitioner in Crl.O.P.26164/2015 &
for R2 in Crl.O.P.11999/2016

Mr.P.Govindarajan, APP - for R1 in Crl.O.P.11999/2016 &
for R2 in Crl.O.P.26164/2015

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COMMON ORDER

Crl.O.P.No.11999 of 2016 has been filed by the petitioner/accused praying to quash the complaint in Crime No.1390 of 2015 pending on the file of the Inspector of Police (Crime), J1 Saidapet Police Station, Chennai. The said case was registered against the petitioner/accused for the alleged offence punishable under Section 420 IPC.

2.Earlier, the petitioner had moved an Anticipatory Bail petition before this Court Crl.O.P.No.14202 of 2015 and this Court by order dated 29.07.2015 granted anticipatory bail to the petitioner, by imposing a condition that the petitioner should deposit a sum of Rs.3,50,000/- to the credit of Crime No.1390 of 2015 , before the XVIII Metropolitan

Magistrate, Saidapet, Chennai.

3.Now, the defacto-complainant in the said case has filed CrI.O.P.No.26164 of 2015 seeking to cancel the Anticipatory Bail granted to the petitioner/accused by this Court by order dated 29.07.2015 in CrI.O.P.No.4202 of 2015. The defacto-complainant

4.The defacto-complainant has also filed CrI.M.P.No.2279 of 2016 in CrI.O.P.No.14202 of 2015 seeking to permit him to withdraw the amount deposited to the credit of Crime No.1390 of 2012 on the file of the XVIII Metropolitan Magistrate, Saidapet, Chennai.

5.Today, when the matter is taken up for consideration, the learned counsel for the petitioner/accused as well as the learned counsel for the defacto-complainant submitted that the petitioner/accused and the defacto-complainant arrived at an amicable settlement before the Mediation Centre and to that effect, the report from the Mediation Centre has also been received.

6.Head the learned Additional Public Prosecutor also.

7.In view of the compromise arrived at between the parties, the

criminal proceedings in Crime No.1390 of 2015 pending on the file of the respondent-Police is liable to be quashed and the same is hereby quashed. The defacto-complainant is permitted to withdraw the amount deposited by the petitioner/accused to the credit of Crime No.1390 of 2015, on the file of the XVIII Metropolitan Magistrate, Saidapet, chennai.

Accordingly, the CrI.O.P.No.11999 of 2016 is allowed and CrI.O.P.No.26164 of 2015 is dismissed and the connected Miscellaneous Petitions are closed.

06.07.2016

Index : Yes / No
Internet : Yes / No
SSV

To,
1.The Inspector of Police (Crime),
J1 Saidapet Police Station, Chennai.

2.The Public Prosecutor,
Madras High Court, Madras.

R.SUBBIAH, J.

SSV

Crl.O.P.No.26164 of 2015

and

Crl.O.P.No.11999 of 2016

and

M.P.No.2279 of 2016

in Crl.O.P.No.14202 of 2015

and

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