

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED **23.08.2016**

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.17851 of 2016

1.S.P.Senthilkumar
2.S.Rammohan Rao
3.T.K.Kaliappan
4.E.Arumugam

... Petitioners

Vs

1.State rep.by
The Inspector of Police,
CCB – Team EDF-II,
Vepery, Chennai.

2.G.Nagarajan

... Respondents

Prayer :- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to accept the compromise and quash the proceedings pending against the petitioner and others in CCB Crime No.102 of 2015 dated 12.03.2015 on the file of the 1st respondent.

For Petitioners

:Mr.Doraisamy
for M/s.A.Ramaswamy

For Respondents
No.1

:Mr.C.Emalias,
Additional Public Prosecutor

For Respondents
No.2

:Mr.G.Devarajan

ORDER

This Criminal Original Petition has been filed to accept the compromise and quash the proceedings pending against the petitioners and others in CCB Crime No.102 of 2015 dated 12.03.2015 on the file of the 1st respondent.

2. Heard the learned counsel appearing for the petitioners, the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the second respondent.

3. On a complaint lodged by the second respondent, the first respondent police has registered a case in CCB Crime No.102 of 2015 on 12.03.2015 under Sections 407, 420, 477, 294(b) & 506(i) IPC against one S.P.Senthilkumar and others, challenging which, the accused are before this Court for quashing the FIR on the ground that both the parties have arrived at a compromise.

4. Today, G.Nagarajan, second respondent is present and is represented by G.Devarajan, learned counsel and he has filed a memorandum of understanding, wherein, paragraphs 6 to 9 state as follows;

" 6. The parties agree to file joint affidavit before the Hon'ble High Court for quashing of C.C.No1203 of 2013 pending on the file of Learned XVII, Metropolitan Magistrate, Saidapet, Chennai and Crime No.CCB. Cr.No.102 of 2015 for offences u/s. 407, 420, 477, 294(b) and 506(i) IPC pending on the file of Inspector of Police, Central Crime Branch, EDF - II, Team III, Vepery, Chennai.

7. The parties agree to appear before the Hon'ble Court and give their consent for quashing of C.C.No.1203 of 2013 pending on the file of Learned XVII Metropolitan Magistrate, Saidapet, Chennai and Crime No.CCB, Cr.No.102 of 2015 for offences u/s. 407, 420, 477, 294(b) and 506(i) IPC pending on the file of Inspector of Police, Central Crime Branch, EDF - II, Team III, Vepery, Chennai.

8. The parties agrees that there will be no claim against each other.

9. Governed in accordance with the laws of India and courts in Chennai

shall have exclusive jurisdiction to adjudicate disputes arising from the terms herein.

In witness whereof the parties affirm that the information provided is accurate and true and have caused this Memorandum of Understanding to be duly executed on the date and year above mentioned."

In view of the above, the criminal original petition is allowed and the proceeding in CCB Crime No.102 of 2015 is hereby quashed on condition that the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousands only) to the Tamil Nadu State Judicial Academy, No.30 (90) P.S.K.R.Salai, Greenways Road, R.A.Puram, Chennai - 28 within a period of two weeks from the date of receipt of a copy of this order.

23.08.2016

sms

To

- 1.The XVII Metropolitan Magistrate,
Saidapet, Chennai.
- 2.The Inspector of Police,
CCB – Team EDF-II,
Vepery, Chennai.
- 3.The Public Prosecutor,
High Court, Chennai.

P.N.PRAKASH,J,

sms

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