IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED **23.08.2016**

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.18665 of 2016

1.T.Rajendran
2.S.P.Arumugam
3.Panneerselvam
4.Murugesan
5.Selvaraj
6.Dhanasekaran
7.Saravanan
8.Guru
9.Ramachandran
10.Ramadas
11.Sekar ... Petitioners

Vs

1.State rep.by
The Inspector of Police,
R-8, Vadapalani Police Station,
Vadapalani, Chennai.

2.P.Senthilkumar

3.G.Nagarjan ... Respondents

Prayer :- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to accept our affidavits and give a quietus to the issues by quashing the proceedings pending against the petitioner and others in CC.No.1208 of 2013 pending on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai.

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

For Respondents No.1 :Mr.C.Emalias,
Additional Public Prosecutor

For Respondents No.2 & 3 :Mr.G.Devarajan

ORDER

This criminal original petition has been filed to accept our affidavits and give a quietus to the issues by quashing the proceedings pending against the petitioner and others in CC.No.1208 of 2013 pending on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai.

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 and third respondents.

3. On the complaint given by the second respondent, P.Senthilkumar, the first respondent police registered a case in Crime No.1202 of 2011 and after completing the investigation, the first respondent has filed a final report in C.C.No.1208 of 2013 before the XVII Metropolitan Magistrate Court, Saidapet, Chennai - 15 against 11 persons for offences under Section 406, 420, 477A r/w 120-B, 380 r/w 34 IPC, for quashing which, the accused are before this Court on the ground that the parties have amicably arrived at a settlement.

4. Today, the second respondent, P.Senthilkumar is present and is represented by G.Devarajan, learned counsel.

5. It is seen that the dispute essentially between the members of an Association with regard to the Management of affairs of the Association. The parties have 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.***
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> ***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 noi 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, this petition is allowed and the proceedings in C.C.No.1208 of 2013 is hereby quashed on condition that the petitioners shall deposit a sum of Rs.15,000/- (Rupees Fifteen 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,
R-8, Vadapalani Police Station,
Vadapalani, Chennai.

3.The Public Prosecutor,
High Court, Madras.

P.N.PRAKASH,J,

sms

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