



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2016

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THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

CrI.O.P.(MD) No.22936 of 2016

and

CrI.M.P.(MD)No.12037 of 2016

1.Kader Oli Batcha

2.Abutaher

.. Petitioners/Accused Nos.2 & 3

-Vs-

1.The Inspector of Police,

District Crime Branch,

Thanjavur, Thanjavur District. ... Respondent/Complainant

2.Liagat Ali

... Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records in pertaining to case in Crime No.4 of 2015, pending investigation on the file of the first respondent and quash the same.

For Petitioners : Mr.M.Solaisamy

For Respondents : Mr.K.Anbarasan

Govt. Advocate (CrI.Side)for R.1

Mr.M.A.Abdul Muthalif for R.2

O R D E R

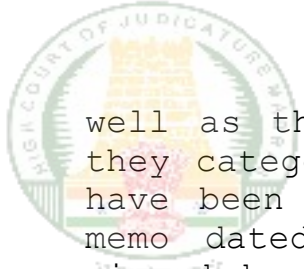
This petition has been filed to call for the records in pertaining to case in Crime No.4 of 2015, pending investigation on the file of the first respondent and quash the same.

2. Heard the learned Counsel for the petitioner, the learned Government Advocate (CrI.Side) appearing for the first respondent and the learned Counsel appearing for the second respondent.

3. Based on the complaint given by the second respondent/defacto complainant, a case has been registered against the petitioners in Cr.No.4 of 2015 for offences under Sections 120 (b), 406 and 420 I.P.C. on the file of the first respondent. The said F.I.R. is challenged before this Court.

<https://hcservices.ecourts.gov.in/hcservices/>

4. When the matter was called today both the petitioner as



well as the second respondent are present before this Court and they categorically made a statement that the dispute between them have been settled amicably. They also filed a joint compromise memo dated 02.12.2016 duly signed by both parties and counter signed by their respective Counsel. The learned Counsel for the second respondent also has no objection to quash the proceedings in Cr.No.4 of 2015. They would also produce a demand draft bearing No.382223, dated 02.12.2016, for a sum of Rs.30,000/- (Rupees Thirty Thousand only) taken in favour of the Headmaster, Government Higher Secondary School, Alathur, IFSC Code - IOBA0002296, Indian Overseas Bank, A/c No.229601000004976

5. In view of the statements made by the parties and the joint compromise memo filed by them, no fruitful purpose will be achieved to proceed further in this matter.

7. In view of that, the impugned proceedings in Cr.No.4 of 2015, on the file of the first respondent is hereby quashed in respect of the petitioners/Accused Nos.2 and 3 and the Criminal Original Petition is allowed. Consequently, the connected Miscellaneous Petition is closed. The compromise memo dated 02.12.2016 shall form part of the order.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

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To:

Encl: Xerox copy of Compromise Memo

1.The Inspector of Police,
District Crime Branch,
Thanjavur, Thanjavur District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

THE SECTION OFFICER, CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1cc to Mr.M.A.Abdul Muthalif, Advocate Sr.No. 79078
+3cc to Mr.M.Solaisamy Advocate Sr.No. 79752

JAM/23.12.16/MPA/2P-8C