

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2017

CORAM

THE HON'BLE Mr. JUSTICE RMT.TEEKAA RAMAN

Crl.O.P.No.17051 of 2011

and

M.P.No.1 of 2011

1. M/s.Reliance Dyeing Works,
A registered partnership firm
Doing business at S.F.No.779,
Kanjeevaram, Nallur,
Tirupur-641 666.
Rep. by its Partner Mrs.P.Selvamani.
2. Mrs.P.Selvamani
3. Mr.S.P.Saravanan ... Petitioners

Vs.

M/s.Sri Brindha Investments,
A registered partnership firm,
S.F.No.527, Kumaran Kuttai Thottam,
Palavanjipalayam Road,
Veerapandi Post,
Tirupur and not at Site No.10-13,
Ramasamy Muthammal Street,
Palladam Road, Tirupur
Represented by its Power of Attorney
Mr.K.Hanumantha Rao, aged 40 years,
S/o.S.Kuppa Rao
(Tiruppur South Police Station limit) ... Respondent

Prayer : Criminal Original Petition filed under Section 482
Cr.P.C. to call for the records in S.T.C.No.5876 of 2010,
pending before the Judicial Magistrate Court.No.1, Tiruppur
and quash the same.

For Petitioners : Mr.K.Sathish
for M/s.Profex Associates

For Respondent : Mr.K.Govi Ganesan

O R D E R

This Criminal Original Petition is filed to call for the
records in S.T.C.No.5876 of 2010, pending before the learned
Judicial Magistrate No.1, Tiruppur and to quash the same.

2. The learned counsel for the petitioners submitted that the dispute between the petitioners and the respondent is settled out of Court and he has also filed a memo to that effect. The terms of the memo reads as follows:

"1. It is submitted that the respondent/Defacto Complainant filed S.T.C.No.5876 of 2010, for alleged offence under Section 138 of the Negotiable Instruments Act. During the pendency of the S.T.C.No.5876 of 2010, the petitioner herein preferred the present CrI.O.P.No.17051 of 2011, with a prayer to call for the record of S.T.C.No.5876 of 2010, pending before the Judicial Magistrate No.I, Tirupur and quash the same.

2. The petitioner submits that during the pendency of this CrI.O.P.No.17051 of 2011, the parties have entered into a compromise out of Court. The petitioner, therefore does not wish to press this CrI.O.P.No.17051 of 2011, based on the compromise entered into with the respondent/Defacto Complainant herein.

3. It is therefore prayed that this Hon'ble High Court may be pleased to dismiss the matter as settled out of Court."

3. In view of the said memo filed by the petitioner, this Criminal Original Petition is dismissed. The said memo shall form part of the order. Consequently, connected miscellaneous petition is also dismissed.

(* Xerox Copy of Petitioner's Memo is enclosed)

Sd/-

Assistant Registrar(CS VIII)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

jrl/gsk

To

The Judicial Magistrate No.I,
Tiruppur.

+1cc to M/s.Kaaviya Silambanan, Advocate, S.R.No.46241

CrI.O.P.No.17051 of 2011

CS VIII
CA(23/08/2017)