

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.8276 of 2018

- 1.S. Murali
- 2.Babu Manoharan
- 3.Subramanian
- 4.Regeena Murali

.. Petitioners

Vs

1. The State,
Rep. by Inspector of Police,
Central Crime Branch-I, Vepery,
Chennai.
2. Remibai Jeppiar ..Respondents

Criminal Original Petition filed under Section 482 Cr.P.C.,
to call for the records of FIR No.14/2018, pending on the file
of the 1st Respondent and quash the same.

For Petitioners : Mr. C. Seethapathy
For R1 : Mr. C. Iyyappa Raj
Additional Public Prosecutor
For R2 : Mr.V.Raghavachary

O R D E R

This Criminal Original Petition has been filed to call for
the records in FIR No. 14/2018, pending on the file of the 1st
Respondent and quash the same.

2. On the complaint lodged by Remibai Jeppiar, the second
respondent herein, the first respondent police registered a case
in Crime No. 14 of 2018 on 10.01.2018 under sections 420, 465,
467, 468, 471, 506(1) and 120-B IPC against Murali and three
others, for quashing which, this application has been filed on
the ground that the parties have arrived at a compromise.

3. Today, Ms.V.Malarvizhi, Sub-Inspector of Police, Team V, CCB, CNI is present.

4. Remibai Jeppiar, the de facto complainant has filed an affidavit wherein, she has stated as follows:

2. "I state that pending investigation, three suits were filed before the High Court of judicature at Madras in C.S. 256 of 2018, C.S. 904/2017 & C.S. 908 of 2017. Apart from these suits, several other proceedings were initiated between parties. These litigations and complaints were impacting the functioning of the two trustees founded and developed by my late husband, Dr. Jeppiaar. Consequently, on the intervention of well-wishers and the family members, it was decided to bury the differences and settle all the disputes in an amicable manner.

3. I state that the settlement was reduced into writing on 25th of June, 2018. One of the terms of this settlement relates to criminal proceeding and it reads as follows :-

'OBLIGATIONS OF THE PARTIES OF THE FIRST PART'

a. Shall withdraw any and all the criminal complaints lodged by them, collectively or individually, against the parties of the second part or any of them, whether before any police station, court or other forum. In case, it is necessary that the closure to such case is possible only by way of filing a formal application for compounding the same or by filing of a quash petition, then the parties of the first part shall duly co-operate for the same.

4. I state that this compromise deed was filed before this Hon'ble Court in C.S. 256 of 2018 and C.S. 904 of 2017. On the directions of the Court, all of us appeared before the Hon'ble Mr. Justice C.V. Karthikeyan and Mr. Justice N. Sathish Kumar respectively. The learned judges were satisfied themselves with the truth and veracity of the settlement and recorded the same. Both the suits were disposed of recording the compromise on 9th of July, 2018.

5. In pursuance of the memorandum of understanding and the compromise decrees dated 9th July, 2018, I have no objection to this

criminal original proceedings be allowed and consequently, to quash the complaint lodged by me with the 1st respondent.''

In view of the above, this petition is allowed and the prosecution in Cr.No.14 of 2018 is hereby quashed against all the accused.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vji/gms

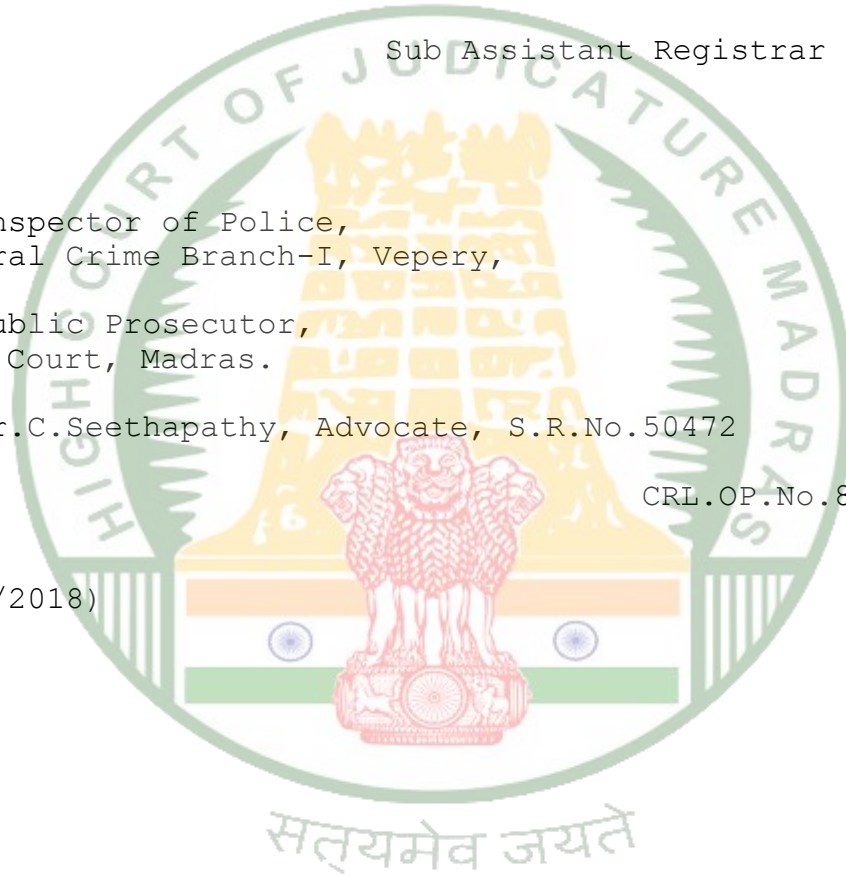
To

1. The Inspector of Police,
Central Crime Branch-I, Vepery,
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.Seethapathy, Advocate, S.R.No.50472

CRL.OP.No.8276 of 2018

GSP(06/08/2018)



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