

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2018

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.21412 of 2017

and

CRL.M.P.No.12596 of 2017

M/s.Fly Tech Engineering
rep. by its Proprietor G.Sekar,
No.1/10, Porur Kundrathur Road,
Periyapanicherry,
Gerugambakkam Post, Chennai-600 128.

.... Petitioner

Vs.

M/s.Maamidi Enterprises,
rep. by its Partner Mr.M.Anjan Kumar,
No.114, Angappa Naicken Street, Chennai-600 001.

.... Respondent

Criminal Original Petition has been filed under Section 482 of Cr.P.C to call for the records relating to the case in C.C.No.2889 of 2016 on the file of the Fast Track Court IV, George Town, Chennai, quash the same by allowing this Criminal Original Petition.

For Petitioner : Mr.S.Vinoth Kumar
For Respondent : M/s.Hari and Guru Associates,
A.M.O.Gurunarayana Rao

O R D E R

This Criminal Original Petition has been filed to call for the records relating to the case in C.C.No.2889 of 2016 on the file of the Fast Track Court IV, George Town, Chennai and quash the same.

2. For the sake of convenience, the petitioner and the respondent will be referred to as the accused and the complainant.

3. The complaint initiated a prosecution in C.C.No.2889 of 2016 under Section 138 of Negotiable Instruments Act, 1881 against the accused and the same is now pending on the file of the Fast Track Court IV, George Town for quashing which, this petition has been filed.

4. Today, the complainant-Anjan Kumar and the accused-Mr.G.Sekar are present before this Court with their respective counsels. They have filed a joint memo dated 26.06.2018, wherein, it is stated as follows:-

"2. Now the matter has been settled between the parties so, this Hon'ble Court may be permit the complainant to withdraw Rs.1,18,507/-, which was deposited before FTC-IV, George Town, Chennai, by the accused.

3. The complainant also today received sum of Rs.75,000/- by way of Demand Draft No.679882 dated 21.06.2018. In view of the compromise, this Hon'ble Court may be quash the proceedings in C.C.No.2889/16 on the file of the Fast Track Court IV, George Town, Chennai by allowing this Criminal Original Petition and thus render justice."

5. In view of the above, this Criminal Original Petition is allowed and the proceedings in C.C.No.2889 of 2016 on the file of the Fast Track Court-IV, George Town, is hereby quashed. The sum of Rs.1,18,507/- has been deposited by the accused to the credit of C.C.No.2889 of 2016 before the trial Court shall be disbursed by the trial Court to the complainant for which, the accused has no objection. The accused and the complainant shall pay a sum of Rs.1,000/- (Rupees One Thousand only) each to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), within a period of two weeks from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

- 1.The IV Fast Track Court (Metropolitan Magistrate),
George Town, Chennai.
- 2.The Section Officer,
Accounts Section,
High Court of Madras,
Chennai 600 104.

+2cc to Mr.Hari and Guru Associates, SR.No.41112
+1cc to M/s.S.Vinodkumar, Advocate Sr.No.40820

sm:9.7.2018

Cr1.O.P.No.21412 of 2017