

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:26.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.No.18753 of 2018

1.K.Srinivasan

2.K.Ganesan : Petitioners / 2nd & 3rd Accused

Vs.

1.State

Represented by Inspector of Police,
Central Crime Branch II,
Land Grabbing Special Division II,
Thiruvallur. :1st Respondent / Complainant

2.S.Natarajan : 2nd Respondent/ De-facto

Complainant PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for records in connection with Crime No.79 of 2013 and quash the same pending on the file of the Central Crime Branch II, Land Grabbing Special Division II, Thiruvallur Police Station as against these petitioners.

For Petitioners : Mr.R.J.Radhika

For R1 : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

For R2 : Mr.Antony Jesurajan

ORDER

This petition has been filed seeking to quash the proceedings in Crime No.79 of 2013, pending on the file of the Central Crime Branch II, Land Grabbing Special Division II, Thiruvallur Police Station.

2.This Court by an order dated 02.08.2018 accepted the submissions made on either side and had referred the matter to the Mediation Centre. The parties appeared before the Mediation Centre and had filed memorandum of compromise dated 21.08.2018. Pursuant to the compromise, the petitioners have paid a total sum of Rs.13,50,000/- to the de-facto complainant and the de-facto complainant had also agreed to give no objection for quashing the FIR in Crime No.79 of 2013.

3.Pursuant to the memorandum of compromise, a report has been sent by the Mediation Centre, dated 21.08.2018. Today (i.e.,26.11.2018) the son of the de-facto complainant viz., Sundaresan is present before this Court and the petitioners are also present before this Court. The son of the de-facto complainant specifically stated that the entire amount of Rs.13.50,000/- has been received by the de-facto complainant and the de-facto complainant is no more interested in pursuing with the case and the FIR can be quashed.

4.In view of the above, no useful purpose will be served in keeping the FIR Pending before the respondent Police. Hence, the FIR in Crime No.79 of 2013, pending on the file of the respondent police is hereby quashed. Accordingly, this Criminal Original Petition stands allowed and the memorandum of compromise entered into between the parties and the mediation report shall form part of this order and the petitioners shall pay a sum of Rs.500/- as costs, to the credit of the Chief Justice Relief Fund, High Court, Madras, within a period of one week 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.

5.The learned counsel for the petitioner would submit that certain documents were recovered from the petitioners by the respondent police during the course of investigation and those documents have been handed over to the Court below. Therefore, a direction has to be given to enable the petitioners to get back the documents. The documents have been handed over to the Special Court (Land Grabbing Cases), Thiruvallur during the course of investigation. The petitioners are permitted to make appropriate application before the concerned Court seeking for return of documents and the concerned Court based on this order, shall return the documents to the petitioners.

Sd/--

Assistant Registrar(CS vi)

//True Copy//

Sub Assistant Registrar

vsg1/gsp

To
The Inspector of Police,
Central Crime Branch II,
Land Grabbing Special Division II,
Thiruvallur.

2.THE PUBLIC PROSECUTOR,
HIGH COURT
MADRAS.

+1cc to Mr.P.Ravichandran , Advocate SR.No. 80757

+2ccs to Mr.P.Ravichandran,Advocate SR.No.80757(20.12.18)
Crl.O.P.No.18753 of 2018

ASK(14/12/2018)