

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2018

CORAM:

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P. No.19848 of 2018

G. Baskaran

.. Petitioner

. Vs .

1. The Inspector of Police,
Central Crime Branch Team XVII A,
Egmore,
Chennai-6008.

2. R. Devika

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to quash the final report lodged by the 1st respondent in Crime No.171 of 2011 on the file of Land Grabbing Special Court I (which is yet to be assigned a C.C.number) O.P.No.13763 of 2018 order dated 18.06.2018.

For Petitioner : Mr. M. Ganeshan

For Respondents: Mr. M. Mohamed Riyaz, APP for R 1

ORDER

This Criminal Original Petition has been filed seeking to quash the F.I.R. in Crime No.171 of 2011, pending on the file of the 1st respondent.

2. The 2nd respondent had given a complaint against this petitioner and based on the same, an FIR was registered for an offence under Section 465, 467, 468 r/w 471 and 420 IPC. Investigation was conducted and a Final Report was also filed before the Special Court for Land Grabbing Cases. However, the concerned Court has not taken cognizance of the Final Report. In the meantime, parties have come to a settlement among themselves.

3. Earlier, a writ petition was filed before this Court in W.P.No.17077 of 2013. In the said writ petition, the parties entered into the terms of the settlement on 09.12.2017. That

apart, a Joint Compromise Memo was filed before the XVI Additional City Civil Court, Chennai in a pending Suit in O.S.No.6059 of 2015. Based on the settlement arrived at between the parties, an award was also passed in the Lok Adalat Case No.1107 of 2017, based on the compromise entered into between the parties.

4.During the execution of the compromise memo, the de-facto Complainant was alive. However subsequently, she died on 05.02.2018. The learned counsel for the petitioner would submit that in view of the settlement arrived at between the parties, the FIR in Cr.No.171 of 2011 has to be quashed.

5.In the facts and circumstances of the case, in view of the settlement arrived at by the parties and the same resulting in an award passed by the Lok Adalat, no useful purpose will be served by keeping the FIR pending before the respondent Police.

In the result, the FIR in Crime No.171 of 2011, pending on the file of the 1st respondent Police is hereby quashed. Accordingly, the Criminal Original Petition is allowed on the ground of compromise.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

To

1. Land Grabbing Special Court I,
Chennai, Periamedu.

2.The Inspector of Police,
Central Crime Branch Team XVII A,
Egmore,
Chennai-6008.

3.The Additional Public Prosecutor,
High Court of Madras,
Madras.

+1cc to Mr.M.Ganeshan, Advocate Sr.84325

Cr1.O.P. No.19848 of 2018

srg 10/12/2018