

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2018

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

CrI.O.P. No.17252 of 2018

1 Gowri Shankar
2 Rahman Petitioners/Accused

vs.

1 State represented by
the Inspector of Police
R-4, Soundarapandiyanar Bazaar Police Station
T. Nagar
Chennai 600 017 Respondent/Complainant
2 H. Ibrahimsha Respondents/Defacto
Complainant

Criminal Original Petition filed under Section 482 Cr.P.C.
seeking to call for the entire records in Cr. No.1479 of 2017
on the file of the Inspector of Police, R-4,
Soundarapandiyanar Bazaar Police Station against the
petitioners and quash the same.

For petitioners Mr. Abdul Saleem

For R1 Mr. C. Iyapparaj
Addl. Public Prosecutor

For R2 Mr. S. Elambharathi

ORDER

This Criminal Original Petition has been preferred
seeking to call for the entire records in Cr. No.1479 of 2017
on the file of the Inspector of Police, R-4,
Soundarapandiyanar Bazaar Police Station against the
petitioners and quash the same.

2 On the complaint lodged by the second respondent,
the first respondent police registered a case in Cr. No.1479
of 2017 on 05.12.2017 under Sections 406 and 420 IPC against
the petitioners herein, for quashing which, this Criminal
Original Petition has been filed.

3 Today, the petitioners and the second respondent as
well are present before this Court and they are identified by
Mr. K.R.Senthil Kumar, Inspector of Police, R-4,
Soundarapandiyanar Police Station, T. Nagar, who is also

present before this Court.

4 The second respondent has filed an affidavit today, wherein, it has been stated that the parties have arrived at an amicable settlement and that he has no objection in the FIR against the petitioners being quashed. The relevant paragraphs of the said affidavit reads thus:

"2 I submit that the petitioners were my employees. During the course of their employment, they have misappropriated money and I have preferred a complaint against the petitioners under Sections 406 and 420 IPC.

3 I submit that myself and petitioners have entered into an amicable settlement of the dispute among ourselves on the intervention of elders and well wishers.

4 In the above circumstances, I have no objection for quashing the FIR being Cr. No.1479 of 2017 on the file of the Inspector of Police, R-4, Soundarapandiyanar Bazaar Police Station.

5 I I crave leave of this Hon'ble Court to take this affidavit on record and quash the FIR being Cr. No.1479 on the file of the Inspector of Police, R-4, Soundarapandiyanar Bazaar Police Station and render justice."

In view of the above, the prosecution in Cr. No.1479 of 2017 on the file of the Inspector of Police, R-4, Soundarapandianar Bazaar Police Station is quashed and as a sequel, this Criminal Original Petition is allowed on condition that the petitioners shall pay a sum of Rs.1,000/- each (totally Rs.2,000/-) as costs 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.

Sd/-
Assistant Registrar(ccc)

//True Copy//

Sub Assistant Registrar

cad
To

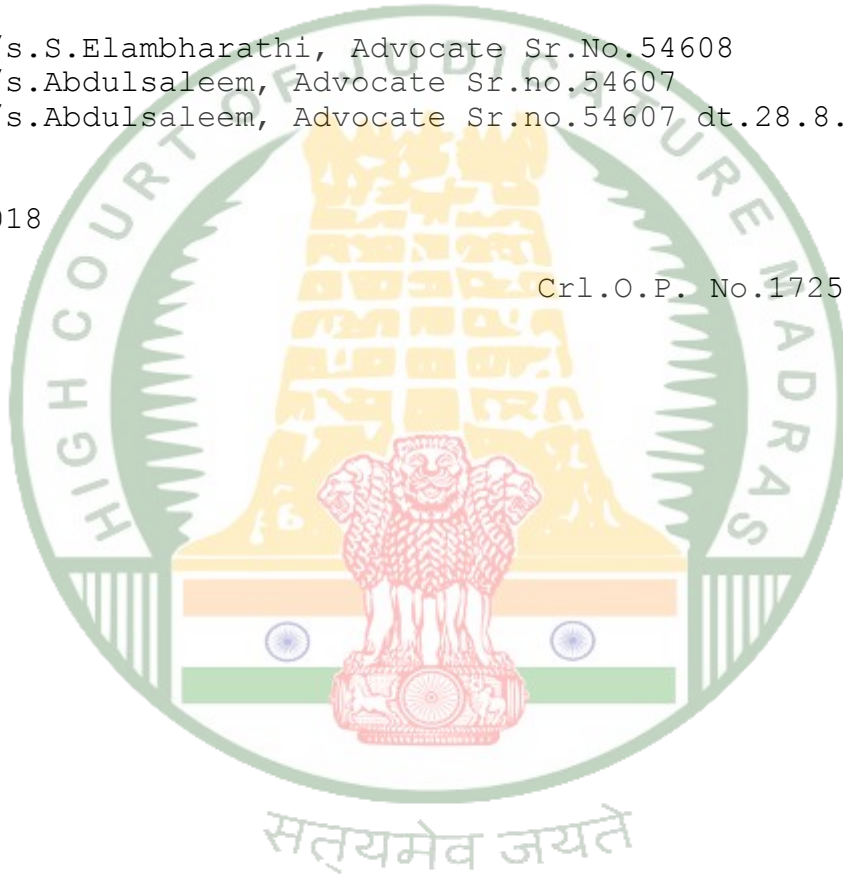
1 The Inspector of Police
R-4, Soundarapandiyanar Bazaar Police Station
T. Nagar
Chennai 600 017

- 2 The Section Officer
Accounts Section
High Court of Madras
Chennai 600 104
- 3 The Public Prosecutor
Madras High Court
Chennai 600 104
- 4 The Section Officer
Criminal Section
High Court, Madras

+1cc to M/s.S.Elambharathi, Advocate Sr.No.54608
+1cc to M/s.Abdulsaleem, Advocate Sr.no.54607
+1cc to M/s.Abdulsaleem, Advocate Sr.no.54607 dt.28.8.2018

RSI (CO)
sm:20.8.2018

CrI.O.P. No.17252 of 2018



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