

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.28075 of 2018

1.Lalitha
2.Ethiraj

...Petitioners

Vs.

1.The State rep, by
The Inspector of Police,
K-1, Sembium Police Station,
Sembium,
Chennai-600 012.

2.V.Sumathi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to call for the records on the file of the 1st respondent in connection with Crime No.422 of 2016 pending on the file of the learned V Metropolitan Magistrate, Allikulam, Egmore, Chennai and quash the same against the petitioners.

For Petitioners : Mr.S.Ambigapathi

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed seeking to quash the FIR in Crime No.422 of 2016, pending on the file of the learned V Metropolitan Magistrate, Allikulam, Egmore, Chennai.

2 The petitioners have been arrayed as A1 and A2 in the final report filed by the respondent police for the offences under Section 406, 420 and 506(i) of IPC. The defacto complainant namely Mrs.V.Sumathi was present before this Court and she categorically stated that the matter has been amicably settled and there is no need to proceed further with the case. A Memo of Compromise has also been filed before this Court in the pending proceedings wherein, A1 and A2 had sought for quashing the FIR in Cr.No.422 of 2016.

3 In view of the specific clause contained in the Memo of Compromise, the second respondent namely the defacto complainant is permitted to withdraw a sum of Rs.50,000/- which is lying on the file of the V Metropolitan Magistrate Court, Egmore in Crime No.422 of 2016. The Court below shall permit the second respondent to withdraw the same on a Memo being filed before the Court along with the copy of this order.

4 This Criminal Original Petition stands allowed and as a sequel, the FIR in Cr.No.422 of 2016, on the file of the learned V Metropolitan Magistrate, Allikulam, Egmore, Chennai is quashed in terms of Memo of Compromise and the same shall form part and parcel of this order. The petitioners shall pay a sum of Rs.750/- as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), 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.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

rpl

To

1. The V Metropolitan Magistrate Court, Egmore, Chennai.
2. The Inspector of Police,
K-1, Sembium Police Station,
Sembium,
Chennai-600 012.
3. The Public Prosecutor,
High Court, Madras.
4. The Section Officer,
Accounts Section,
High Court, Madras.

+1 cc to Mr.S.Ambigapathi, Advocate, S.R.No.85986

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GP(CO)

SSM(09/01/2019)