

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.28761 of 2015

1.K.Srinivasan
2.K.Rajkumar
3.K.Premkumar
4.K.Suresh Kumar

... Petitioners

vs.

1.State represented by
Inspector of Police (Crime),
P-1, Pulianthope Police Station,
Chennai - 600 012.
(Crime No.299 of 2003)

2.The Assistant Executive Engineer,
O and M Pulianthope,
Chennai Electricity Distribution Circle/Central,
Tamil Nadu Electricity Board,
Chennai - 600 012.

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records in Crime No.299 of 2003, on the file of the 1st respondent and quash the same.

For Petitioner :Mr.R.Chakkaravarthy

For Respondent :Mr.C.Raghavan
Government Advocate (Crl.side) for R1

ORDER

This petition has been filed seeking to quash the FIR in Crime No.299 of 2003, pending investigation on the file of the first respondent police.

2. The petitioner filed a writ petition, challenging the demand made by the second respondent in W.P.No.6379 of 2004 and the same was referred to the Lok Adalat. The petitioner and the second respondent came to a settlement before the Lok Adalat and

the terms of settlement is extracted hereunder:

" Both the parties as well as their respective counsel are present before this Forum for compromise.

2. After much persuasion, the parties have amicably settled the matter on the following terms.

i) The respondent Board shall be entitled to claim from the petitioner Rs.2,99,534/-.

ii) The BPSC charges of Rs.4,77,450/- stands waived.

iii) The BOAP audit amount of Rs.3,585/- cannot be claimed from the petitioner.

iv) The petitioner shall pay a sum of Rs.2,99,534/- in 30 equated monthly instalments and the first instalment to commence from July 2013.

v) In the event of default in payment of any of the instalments, the respondents shall be entitled to take action in accordance with law.

vi) So far as the criminal case which is now said to be pending, the petitioner is at liberty to seek for terminating the FIR, before the concerned police station.

vii) The petitioner is also at liberty to seek for refund of the amount deposited by him before the Criminal Court as a condition precedent for grant of anticipatory bail.

The dispute between the parties is settled accordingly. Consequently, connected miscellaneous petition is closed. No costs.

3. Pursuant to the settlement, the writ petition was disposed of in terms of the settlement. It is clear from the above settlement that the petitioner was given liberty to seek for termination of the FIR.

4. In view of the above, no useful purpose will be served in keeping the FIR pending and accordingly, the FIR in Crime No.299 of 2003, pending on the file of the first respondent police, is hereby quashed and accordingly, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police (Crime),
P-1, Pulianthope Police Station,
Chennai - 600 012.
(Crime No.299 of 2003)

2.The Assistant Executive Engineer,
O and M Pulianthope,
Chennai Electricity Distribution Circle/Central,
Tamil Nadu Electricity Board,
Chennai - 600 012.

3.The Public Prosecutor,
High court, Madras-104.

+2cc to Mr.R.Chakkaravarthy, Advocate, SR.70436

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GP(CO)
CB(04/10/2019)



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