

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.4891 of 2019

1.Kesavan

2.Chandra

... Petitioners

Vs.

1.State rep.by

Inspector of Police,
V-1, Villivakkam Police Station,
Chennai - 600 049.
Crime No.45 of 2014

... Respondent/Complainant

2.Veerappan

... Respondent/De-facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in Crime No.45 of 2014, on the file of the Inspector of Police, V-1 Villivakkam Police Station, Chennai and quash the same.

For Petitioners : Mr.N.Balakrishnan

For Respondents : Mr.M.Mohamed Riyaz, for R1
Additional Public Prosecutor.

O R D E R

This petition has been filed to call for the records in Crime No.45 of 2014 on the file of the Inspector of Police, V-1 Villivakkam Police Station, Chennai and quash the same.

2.It is seen from the compromise joint memo filed by the petitioners as well as the respondent/de-facto complainant before this Court, which is extracted hereunder:

"1.It is respectfully submitted that the petitioners and the de-facto complainant are residing in the same compound, there arose a dispute between them regarding closing of the main door which resulted in de-facto complainant preferring a complaint with the 1st respondent herein who in turn registered a case in Crime

No.45 of 2014 on 9.1.2014 for an alleged offences under Sections 294(b), 324, 341 & 506(ii) IPC against the petitioners herein.

2.It is humbly submitted that till date the 1st respondent had done investigation, neither filed referred charge sheet nor positive charge sheet against the petitioners herein. It has been since 4 long years as gone from the date of alleged occurrence.

3.It is further submitted that pending the F.I.R. the de-facto complainant on his own will and without any influence from any third parties is not interested in proceeding with the case. The de-facto complainant and the petitioners had buried all the differences among themselves and file this joint compromise memo to quash the F.I.R in Crime No.45 of 2019 pending on the file of the 1st respondent police. The de-facto complainant hereby gives in full consent to quash the F.I.R."

3.In view of the settlement between the parties, this Court is of view that it is appropriate to allow the prayer sought for by the petitioners as such this Criminal Original Petition is allowed and the case in Crime No.45/2014 on the file of the Inspector of Police, V-1 Villivakkam Police Station, Chennai is quashed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

AT

To

1.The Inspector of Police,
V-1, Villivakkam Police Station,
Chennai - 600 049.

2.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.N.Balakrishnan, Advocate SR.No.17476

CrI.O.P.No.4891 of 2019

RSV(CO)

GMV(07/03/2019)