

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.06.2020

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THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.Nos.5582 and 387 of 2020
and
Crl. M.P Nos.229 & 3143 of 2020

- 1.M.Kuppusamy (M/64)
S/o.Manikam
4/B64, Amarjothijei Nagar
Kannampalayam
Coimbatore-641 402
- 2.A.Thiyagarajan, (M/56)
S/o.Arumugam
President Towers No.180 B
Sambantham Road West
R.S Puram
Coimbatore-641 402. . . Petitioners in Crl.O.P
No.5582 of 2020

Madan A.Senthil
S/o.P.Arumugam
Director-Span Ventures Pvt. Ltd.,
Rathinam Techno Park
Pollachi Main Road, Eachanari
Coimbatore-641 021 . . . Petitioner in
Crl.O.P No.387 of 2020

Vs.

1. The State by Inspector of Police,
Central Crime Branch
Coimbatore City
(Crime No.63 of 2019)
2. Chinnasamy
S/o.MasaNayakkar
SF.No.654/2A, Pollachi Main Road
Eachanari
Coimbatore . . . Respondents in both Crl.O.Ps

Common Prayer in Crl.O.P No.5582 & 387 of 2020: These Criminal Original Petitions have been filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to Crime No.63 of 2019 on the file of the Central Crime Branch, Coimbatore' City and quash the same.

For Petitioners : Mr. G.Arumugaraja
in Crl.O.P.5582/2020

For Petitioner : M/s.J.Kingsly Solomon
in Crl.O.P.387/2020

For 1st Respondent: Mr.M.Mohamed Riyaz
in both Crl.O.Ps Additional Public Prosecutor

For 2nd Respondent : Mr.A.Saravanan
in both Crl.O.Ps

C O M M O N O R D E R

This Court passed the following order on 12.06.2020:

The learned counsel appearing on behalf of the petitioners submitted there is a compromise between the parties and that the parties are also present during this video conference. Mr.A.Saravanan, learned counsel appearing on behalf of the de-facto complainant also confirms the fact that there is a compromise between the parties. This Court also was able to see in the screen the presence of the de-facto complainant, who confirms that there is a compromise between the parties.

2. The learned Additional Public Prosecutor seeks time to get instructions in this case.

3. The learned counsel appearing on either side shall furnish all the details to the learned Additional Public Prosecutor and also to the Investigation Officer and the learned Additional Public Prosecutor is directed to get instructions from the Investigation Officer as to whether there is a compromise between the parties and report the same before this Court.

4. Post this case on 17.06.2020

2. These Criminal Original Petitions have been filed to call for the records pertaining to Crime No.63 of 2019 on the file of the Central Crime Branch, Coimbatore' City and quash the same.

3. The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4. The petitioners are ranked as A4. A5 and A6.

5. The learned Additional Public Prosecutor, on

instructions submitted that FIR can be quashed insofar as the petitioners are concerned and the investigation will continue insofar as the other accused in this case.

6. A joint memo of compromise has been filed before this Court which have been signed by the petitioners and the 2nd respondent. In the affidavit, it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Crime No.63 of 2019. This Court also enquired both the parties through video conferencing and was satisfied that the parties have come to an amicable settlement between themselves.

7. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.63 of 2019 on the file of the respondent police, is hereby quashed insofar as the petitioners are concerned and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.500/- (Rupees Five Hundred only) as costs, to the credit of the Chief Justice Relief Fund (payable) 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 for reporting compliance in the Registry. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Enclosed: Eerox copy of joint memo of compromise

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To

1. The Inspector of Police,
Central Crime Branch
Coimbatore City.
2. The Public Prosecutor
High Court of Madras
3. The Sub Assistant Registrar
Account Section, High Court, Madras.

Cr1.O.P.Nos.5582 and 387 of 2020
Cr1. M.P Nos.229 & 3143 of 2020

RSV(CO)

RMP(21/07/2020)