

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.No.34108 of 2019
and Crl.M.P.No. 18860 of 2019

1.M.Vijaya Sekhar Babu
2.R.Srinivasa Sadagopan
3.B.Samuel Ebenezer
4.Mr.Santhana Kumar ...Petitioners

vs.

1.The State Rep. by,
The Inspector of Police,
Central Crime Branch,
Tiruppur City,
Tiruppur - 641 687. ...1st Respondents/Complainant

2.PICO Imports Corp
Rep. By its Director India
Mr.D.R.Murthy
Exquisite Apparel,
1500, New Yark, N.Y. - 10018 - 7604

And also at
4/165, Bharathi Nagar,
Tiruppur - 641 605. ...2nd Respondents/De-facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Cr.No.12 of 2019, pending on the file of Inspector of Police, Central Crime Branch, Tiruppur City and quash the same.

For Petitioners : Mr.Varun Srinivasan

For 1st Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

For 2nd Respondent : M/s. AL.Ganthimathi
for Mr.A.Ramkumar (SR.No.257 of 2020)

ORDER

This Criminal Original Petition has been filed to call for the records in Cr.No.12 of 2019, pending on the file of Inspector of Police, Central Crime Branch, Tiruppur City and quash the same.

2. Based on the complaint lodged by the second respondent, the first respondent has registered an FIR in Crime No. 12 of 2019 against the petitioners herein under Sections 409 & 420 of IPC.

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

4. A Joint Settlement Agreement dated 23.10.2019, has been filed before this Court which has been signed by the petitioners and the 2nd respondent/ defacto complainant and also by the counsel for the petitioners. The petitioners and the 2nd respondent are present in person before this Court. In order to identify the respective parties they have also produced the copies of the Driving Licence, Pan Card and ID Card and they are made part of the record. In the Joint Settlement Agreement, it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Crime No.12 of 2019. This Court also enquired both the parties and satisfied that the parties have come to an amicable settlement between themselves.

5. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending. Even though, the offences involved are not compoundable in nature, in the light of the guidelines given by the Hon'ble Supreme Court reported in (2017) 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., inclined to quash the First Information Report in Crime No. 12 of 2019.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.12 of 2019, on the file of the 1st respondent police, is quashed and the terms of Joint Settlement Agreement shall form part and parcel of this order. Consequently, connected Miscellaneous Petition is closed.

(*) Copy of JOINT SETTLEMENT AGREEMENT herewith enclosed.

Sd/-
Assistant Registrar (J)

/True Copy/

Sub Assistant Registrar

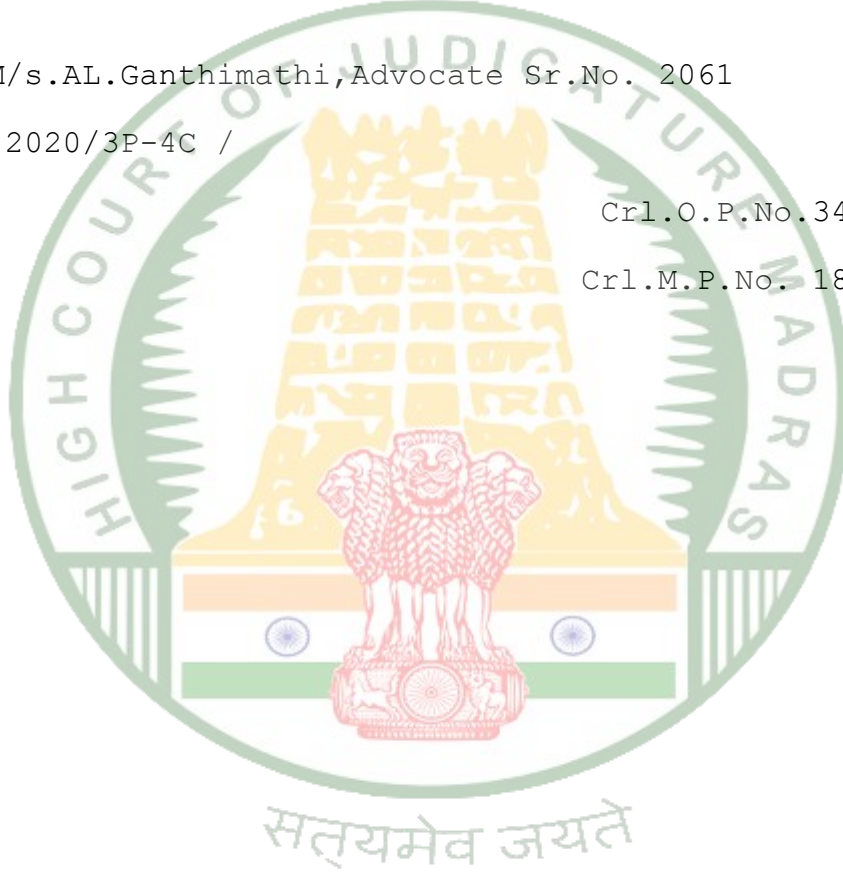
To

1. The Inspector of Police,
Central Crime Branch,
Tiruppur City,
Tiruppur - 641 687.
2. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.AL.Ganthimathi, Advocate Sr.No. 2061

AKM/14.02.2020/3P-4C /

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and
CrI.M.P.No. 18860 of 2019



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