



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 15/6/2022

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No.6439 of 2022

a n d

Crl.M.P.No.3604 of 2022

K.R.Jagannathan

... Petitioner

Vs

1. The State
rep. By The Sub-Inspector of Police
R 1 Mambalam Police Station
T. Nagar, Chennai 600 107.

2. Santhi Lakshmanan

3. Earnarst

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C., to quash the First Information Report in Crime No.36 of 2002 dated 27/2/2022 on the file of the first respondent Police authority.

For Petitioner	...	Mr.K.V.Babu
For respondents	...	Mr.A.Gokulakrishnan
		Additional Public Prosecutor
		for R.1
		Mr.J.Antony Jesuraja
		for R.3.

O R D E R

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.36 of 2002 dated 27/2/2022, for the offences punishable under Sections 406 and 420 of the Indian Penal Code, on the file of the first respondent Police.

2. Heard Mr.K.V.Babu, learned counsel for the petitioner and Mr.A.Gokulakrishnan, learned Additional Public Prosecutor for the first respondent and Mr.J.Antony Jesuraja, learned counsel for the third respondent.

3. A bare perusal of the First Information Report would indicate that the dispute between the parties is purely a civil



dispute and there is a breach of agreement. Vide, order, dated 12/4/2022, this Court had referred the matter to the Mediation and Conciliation Centre, attached to this Court.

4. Today when the matter was taken up for hearing, learned counsel appearing on either side, submitted that Memorandum of Settlement was entered into between the parties, to the effect that the petitioner shall pay a sum of Rs.19,45,000/- (Rupees Nineteen lakhs and forty five thousand only) and the third respondent shall pay a sum of Rs.7,00,000/- (Rupees Seven lakhs only) both in favour of the second respondent and the total amount agreed to be settled was Rs.26,45,000/- (Rupees Twenty six lakhs and forty five thousand only) towards full and final settlement of the entire claim made by the second respondent.

5. Memorandum of Settlement, dated 29/4/2022 was produced before this Court. The petitioner, defacto complainant and R.3 were present. They were identified by their respective counsel. In such a view of the matter, this Court is of the considered view that continuing the First Information Report is nothing but a futile exercise.

6. Accordingly, this Criminal Original Petition is allowed and the First Information Report in Crime No.36 of 2022 dated 27/2/2022, pending on the file of the first respondent Police is quashed. Memorandum of Settlement shall form part of the records. Consequently, the connected Criminal Miscellaneous Petition No.3604 of 2022 is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

mvs.
To

1. The Sub-Inspector of Police
R 1 Mambalam Police Station
T. Nagar, Chennai 600 107.

2. The Public Prosecutor
High Court, Chennai.

+1cc to Mr.K.V.Babu, Advocate, S.R.No.35449

Crl. O.P. No. 6439 of 2022

VG-II(CO)
CT/29/06/2022