



WEB COPY



W.P.No.25209 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.25209 of 2022
and W.M.P.Nos.24153 & 24154 of 2022

R.Rajesh

...Petitioner

-Vs-

1. The Government of Tamil Nadu
Department of Home,
Rep. by its Secretary,
St. George Fort,
Chennai – 600 009.
2. The Director General of Police,
No.1, Dr. Radhakrishnan Salai,
Mylapore, Chennai – 600 004.
3. The Director General of Police,
Crime Branch, CID,
No.24, Pantheon Road,
Egmore, Chennai – 600 008.
4. The Commissioner of Police,
132, EVK Sampath Road,
Vepery, Periyamet,
Chennai – 600 003.
5. The Central Bureau of Investigation (CBI)
Rep. by its Director,
Rajaji Bhavan Complex,
3rd Avenue, Besant Nagar,



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Chennai – 600 090.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the facts and circumstances of the case and transfer the investigation in FIR No.4 of 2021 dated 24.06.2021 which was registered on 24.06.2021, by the third respondent to the fifth respondent and consequently investigate crime and to lay the charge sheet before the trial Court concerned within stipulated time.

For Petitioner : Mr.R.S.Anhamuthu

For Respondents

For R1 to R4 : Mr.S.Sugendran
Additional Public Prosecutor

For R5 : Mr.K.Srinivasan
Special Public Prosecutor

ORDER

This Writ Petition has been filed to direct the respondents to transfer the investigation in FIR No.4 of 2021 dated 24.06.2021, from the file of the third respondent to the fifth respondent and consequently investigate crime and to lay the charge sheet before the trial Court concerned within stipulated time.



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2. Today, the petitioner/defacto complainant and the accused persons A1 to A3 are present before this Court. Their statement also recorded and they stated that they settled the issue amicably and they also entered into joint compromise dated 07.06.2023. The said joint compromise also produced before this Court along with separate affidavit of the petitioner. According to the joint compromise, the petitioner entered into a Deed of Memorandum of Understanding with the third accused, who is the main accused played major role in the crime.

3. On perusal of the Deed of Memorandum of Understanding dated 24.05.2023, it revealed that both the parties agreed to extend their co-operation unconditionally to withdraw all the criminal cases filed against each other. Further they will extend their absolute co-operation till the end of the process of withdrawal of complaint before the entire judicial and quasi-judicial forum. They also agreed to execute memorandum of compromise to be filed before this Court to quash the criminal complaints.

4. Since the accused settled the issue amicably by way of Memorandum of Understanding, the learned counsel appearing for



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petitioner seeks permission of this Court to withdraw this present Writ Petition. He also made an endorsement in the Court bundle to that effect.

5. In view of the above submission and endorsement made by the learned counsel appearing for the petitioner, the Writ Petition stands dismissed as withdrawn. It is open to the accused persons to approach this Court to quash the FIR registered in Crime No.4 of 2021 on compromise in the manner known to law. Consequently, connected miscellaneous petitions are also closed. There shall be no order as to cost.

14.07.2023
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Internet: Yes
Index : Yes/No
Speaking/Non Speaking order

rts



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Madras High Court,
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G.K.ILANTHIRAIYAN. J.

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