



WEB COPY



Crl OP No.10924 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.05.2023

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.10924 of 2023

1.Arun Prasath
2.Prabhu
3.Dinesh Kumar
4.Vetrivel
5.Pradeep

.. Petitioners

Versus

1.State rep by
Inspector of Police (Crime)
R-8, Vadapalani Police Station
Chennai – 600 026

2.R.Jayapaul

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code seeking to quash the Calendar Case in C.C.No.9788/2018 on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai.



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For Petitioner : Mr.M.Saravanakumar
For R1 : Mr.E.Raj Thilak
Additional Public Prosecutor
For R2 : Mr.J.Rajasekaran

ORDER

The case of the prosecution is that the accused had promised to buy the car from the second respondent by paying the remaining installments and had taken away his car. However, after paying four installments, they stalled the return of money, when the second respondent questioned the same, he was informed that the said car is mortgaged to the A1 and A3. Hence, the impugned final report was filed for the offence under Section 406, 420, 506(i) r/w 34 IPC.

2. Today, when the matter was called, it is brought to the notice of the Court that the parties have arrived at a compromise and the second respondent has decided to withdraw the allegations made in the charge-sheet and has no objection for quashing of the same on the basis of the compromise. The second respondent/defacto complainant had filed an affidavit to that effect.

3. Both the parties are present today and had signed the



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photocopies of their Aadhar. Mr.V.Sridhar, SI of Police, R8-Vadapalani Police Station, Chennai, who has appeared before this Court has identified the parties. In view of the settlement arrived at between the parties, no useful purpose would be served in keeping the calendar case on the file of learned XVII Metropolitan Magistrate, Saidapet, Chennai pending. Hence, the impugned calendar case is quashed. The said affidavit shall form part of the order.

4. With the above observations, the Criminal Original Petition stands allowed. No costs.

11.05.2023

dhk

Index: Yes/No

Speaking Order / Non-Speaking Order

Neutral Citation: Yes / No

To

1. The XVII Metropolitan Magistrate
Saidapet, Chennai.

2. Inspector of Police (Crime)
R-8, Vadapalani Police Station
Chennai – 600 026

3. The Public Prosecutor
Madras High Court.



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SUNDER MOHAN, J

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