

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.25965 of 2018
and CrI.M.P.No.14928 of 2018

Chidambaram

.. Petitioner/Accused

Vs.

1.State Represented by
The Inspector of Police,
Government Railway Police,
Dharmapuri, Dharmapuri District. ... 1st Respondents/Compalinant

2.Soorya Gayathri ...2nd Respondents/Defacto Compalinant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records and quash the F.I.R. in Crime No.34 of 2018 pending on the file of the respondent police.

For Petitioner : Mr.K.Balasubramaniam
For R-1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor
For R-2 : Mr.D.Dayalan

ORDER

The Criminal Original Petition has been filed seeking to quash the F.I.R. in Crime No.34 of 2018 pending on the file of the respondent police.

2. Mr.K.Kodhandabani, Sub Inspector of Police, Railway Police Station, Dharmapuri is present before this Court. 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.

3. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsel. In order to identify the respective parties they have also produce the copy of the Aadhaar Card is made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. 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. quashes the First Information Report in Crime No.14 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.34 of 2018, on the file of the respondent police, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) as costs, to the credit of the Chief Justice Relief Fund (payable in 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 reporting compliance in the Registry. Consequently, the connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

jen/rpl

To

1.The Inspector of Police,
Government Railway Police,
Dharmapuri,
Dharmapuri District.

2.The Public Prosecutor, High Court, Madras.

Xerox Copies Enclose
+1cc to Mr.D.Dayalan, Advocate, S.R.No.77331

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and
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sp(20/11/2018)