

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.26433 of 2018

1.C.Hemachandiran

2.H.Vinothkannan : Petitioners/Accused
Vs.

1.The Union Territory of Puducherry

Represented by

The Sub-Inspector of Police,

D Nagar Police Station,

Puducherry. :1st Respondent/De-Jure Complainant

2.D.Dhatchnamoorthy :2nd Respondent/De- facto Complainant

3.J.Kumar : 3rd Respondent / Victim

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for records relating to impugned FIR No.134 of 2018 dated 06.08.2018 on the file of the first respondent namely the Sub-Inspector of Police, "D" Nagar Police Station, Puducherry, and quash the same based on the Joint Compromise Memo dated 03.09.2018 entered between the parties.

For Petitioners : Mr.Prakash Adiapadam

For 1st Respondent : Mr.Bharath Chakravarthi

Public Prosecutor (puducherry)

ORDER

The Criminal Original Petition has been filed to quash the F.I.R in Crime No.134 of 2018 on the file of the Sub-Inspector of Police, "D" Nagar Police Station, Puducherry, pursuant to the compromise arrived at by the parties.

2. 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.

3. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and their counsel and the second and third respondents. The parties were also present before the Court and they have also produced the copies of the Aadhaar Card which are 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.134 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.134 of 2018, on the file of the Sub-Inspector of Police, "D" Nagar Police Station, Puducherry is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.500/- as costs, to the credit of the Chief Justice Relief Fund, High Court, Madras, 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.
vsgl/ia

Sd/-

Assistant Registrar(CS vi)

//True Copy//

Sub Assistant Registrar

To

- 1.The Sub-Inspector of Police,
"D" Nagar Police Station,
Puducherry.
- 2.The Public Prosecutor, puducherry
- 3.The Chief Justice Relief Fund, High Court, Madras
4. The section officer,
VR Section,High court Madras

+1cc to Mr.Prakash Adiapadam, Advocate SR.No. 78754
CrI.O.P.No.26433 of 2018

ASK(11/12/2018)