

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2018

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.26733 of 2018

1.Haridas

2.Thavamani

...Petitioners/Accused 1 & 2

-Vs-

1.State represented by
The Inspector of Police,
T-2 Ambattur Estate Police Station,
Chennai 600 058.

2.Sarasu

... Respondents/Complainants

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in C.C.No.221 of 2018 on the file of the learned Judicial Magistrate, Ambattur, Chennai in Crime No.399 of 2018 on the file of the Inspector of Police, T-2 Ambattur Estate Police Station, Chennai and quash the same.

For Petitioners : Mr.M.Krishnamoorthy

For Respondent 1: Mr.C.Raghavan,

Government Advocate (Crl.Side)

ORDER

This criminal original petition has been filed to call for the records in C.C.No.221 of 2018 on the file of the learned Judicial Magistrate, Ambattur, Chennai in Crime No.399 of 2018 on the file of the Inspector of Police, T-2 Ambattur Estate Police Station, Chennai and quash the same.

2. The case is still in the stage of Trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. Petitioners and the second respondent/de-facto complainant filed their respective affidavits before this Court signed by them and also by their respective counsel. The parties were also present before the Court and they were identified by Ms.N.Baby, T-2 Ambattur Estate P.S. 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 Gujarath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C quashes the proceedings in C.C.No.221 of 2018.

5. The learned counsel for the petitioner had handed over the Demand Draft in D.D.No.014789 600240022 99998912 in HDFC Bank for a sum of Rs.4,50,000/- dated 09.11.2018 to the second respondent who was also present before the Court and the second respondent acknowledged the receipt of the same.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.221 of 2018, on the file of the learned Judicial Magistrate, Ambattur, Chennai, is quashed. Each of the petitioners shall pay a sum of Rs.1000/- as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry, Madras) within a period of one week from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

rna

To

1.The Inspector of Police,
T-2 Ambattur Estate Police Station,
Chennai 600 058.

2.The learned Judicial Magistrate,
Ambattur, Chennai.

3. The Section Officer,
Accounts Section,
High Court, Madras.

+1cc to Mr.M.Krishnamoorthy, Advocate, S.R.No. 78417

Cr1.O.P.No.26733 of 2018

SSV(CO)
GN(07/12/2018)