



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P..No.26728 of 2018

and

CrI.M.P.No.15390 of 2018

M.Mohan

... Petitioner

Vs.

1. The State Rep by,
The Inspector Police,
F-2, Egmore Police Station,
Law and Order,
Egmore, Chennai-8.

2. M.Thomas Edison
3. Inigo Raj
4. Wilson
5. Mr.S.Kathiravan

... Respondents

(5th respondent is impleaded as per order in
CrI.M.P.No.15710 of 2018 in Cr.O.P.No.26728 of 2018 dated
22.11.2018)

PRAYER : Criminal Original Petition is filed under Section 482
of Cr.P.C., to call for the records culminated in C.C.No.5233 of
2016 on the file of learned XIV Metropolitan Magistrate,
Allikulam, Chennai and quash the same.

For Petitioners : Mr.N.L.Rajha
For R1 : Mr.Mohamed Riyaz
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the
C.C.No.5233 of 2016 on the file of learned XIV Metropolitan
Magistrate, Allikulam, Chennai pursuant to the compromise
arrived at by the parties.

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. 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 produced the copy of the Aadhaar Card which 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.

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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 Crime C.C.No.5233 of 2016.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.5233 of 2016 on the file of learned XIV Metropolitan Magistrate, Allikulam, Chennai 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.500/- 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, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

dss

To

1. The Inspector Police,
F-2, Egmore Police Station,
Law and Order,
Egmore, Chennai-8.
2. The Additional Public Prosecutor,
Madras High Court.
Madras.



3.The Sub Assistant Registrar,
Accounts Section,
High Court, Madras.

+1cc to M/s.BFS LEGAR, Advocate sr.80639

Crl.O.P..No.26728 of 2018

vsnii(co)
nr 18/12/2018