

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.12.2018

CORAM:

THE HON'BLE MR.JUSTICE N. ANAND VENKATESH

Cr1.O.P.No.28073 of 2018

1. Senthil @ Senthilkumar
2. R.Durai
3. V.Parthiban
4. B.Govindaraj @ Kotti
5. E.Appu @ Martinkumar
6. Dilli @ Dilli Babu Petitioners/Accused 1 to 4

Vs.

1. State rep by
The Inspector of Police,
S-9, Pazhavanthangal Police Station,
Chennai-114. 1st Respondent/Complainant
2. D.Thiraviam @ Kotti2nd Respondents /Defacto complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records pertaining to the charge sheet in S.C.No.161 of 2018 on the file of the learned Principal District and Sessions Judge, Chengalpet, Chennai and quash the same is concerned.

For Petitioners : Mr.M.P.Saravanan

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

For R2 : Mr.A.Sathiya Prakash for
Mr.S.M.Karthikeyan

ORDER

The Criminal Original Petition has been filed to quash the charge sheet in S.C.No.161 of 2018 on the file of the learned Principal District and Sessions Judge, Chengalpet, 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. An affidavit of the defacto complainant has been filed before this Court. 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in S.C.No.161 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.161 of 2018 on the file of the learned Principal District and Sessions Judge, Chengalpet, Chennai is quashed. Each of the petitioners shall pay a sum of Rs.500/- each, 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.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

dss

To

1. The District and Sessions Court,
Chengalpet, Chennai.
2. The Inspector of Police,
S-9, Pazhavanthangal Police Station,
Chennai-114.
3. The Public Prosecutor,
Madras High Court.

+4cc to Mr.M.P.Saravanan, Advocate, S.R.No. 87706

CrI.O.P.No.28073 of 2018

SVI (CO)
GN(09/01/2019)