

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.27953 of 2018

1.K.Senthilkumar
2.S.Mala

Petitioners

Vs.

1.State rep by:

Inspector of Police,
W-35, All Women Police Station,
Tambaram, Chennai.

(Crime No.32 of 2013)
Complainant

: 1st Respondent /

2.M.Muthukumar

: 2nd Respondent /
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the entire records in Crime No.32 of 2013 pending on the file of the W-35 All Women Police Station, Tambaram, Chennai and quash the proceedings against the petitioners.

For Petitioner : Mr.R.Ramamoorthy

For R-1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to call for the entire records in Crime No.32 of 2013, pending on the file of the respondent police, for an alleged offence under Sections 294(b), 417, 418 and 506(i) of I.P.C.

2. 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. An affidavit is filed by the second respondent/defacto complainant before this Court. In order to identify the respective parties, they have also produced the copy of the Aadhaar Card and 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 Gujrath), 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.14 of 2017, 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.500/- (Rupees Five Hundred 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 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.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

vsa/rri

To

1.The Inspector of Police,
W-35, All Women Police Station,
Tambaram, Chennai.

2.The Additional Public Prosecutor,
High Court, Madras.

+1 CC to Mr.R.Ramamoorthy, Advocate sr 82125.

CrI.O.P.No.27953 of 2018

BS(CO)
SP(21/12/2018)

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