

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2018

CORAM:

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P. No.28953 of 2018

E. Mahadevan

.. Petitioner/Accused

Vs

1. Commissioner of Police,
Vepery,
Chennai 600 007,

2. The Inspector of Police,
Central Crime Branch Team-II,
Vepery,
Chennai 600 007.

3. R. Mahendran

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records, quash the FIR in Crime No.173 of 2018, on the respondent police.

For Petitioner : Mr. L. K. Charles Alexander

For Respondents: Mr. M. Mohamed Riyaz, APP,
for R1 & R2

ORDER

This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.173 of 2018, pending on the file of the respondent police. सत्यमेव जयते

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. Even though, this quash petition has been filed by one Mahadevan, who has been implicated subsequently, based on the confession made by the accused persons, the de-facto complainant categorically stated before this Court that the FIR can be quashed, even as against the other three accused persons, whose name is found in the FIR. He also stated that all the parties have come to a compromise and he does not want to prosecute the FIR any more.

4. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending. Even though, the offences involved are non 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 Crime No.173 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.173 of 2018, on the file of the respondent police is quashed. The petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand 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 a copy of this order, and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

KP
To

1. Commissioner of Police,
Vepery, Chennai 600 007,
- 2.The Inspector of Police,
Central Crime Branch Team-II,
Vepery, Chennai 600 007.
- 3.The Public Prosecutor, High Court of Madras.
- 4.The Section Officer,
Accounts Section, High Court of Madras.
- 5.The Section Officer,
Criminal Section, High Court, Madras.

+1 cc to Mr.L.K.Charles Alexander, Advocate Sr.No.89355

CrI.O.P. No.28953 of 2018

SR(CO)
CSL/09.01.2019