

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.28129 of 2018

&

Cr1.M.P.No.16356 of 2018

1. Thiagu
2. Geetha

..Petitioners

Vs.

- 1.The State Rep. By
Inspector of Police,
W-23, All Women Police Station,
Royapettah, Chennai District-600 014.
(Crime No.8 of 2017)

- 2.P.T.Thangaraj

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the criminal case in C.C.No.7584 of 2017 pending on the file of the learned XVIII Metropolitan Magistrate Court, Saidapet, Chennai and quash the same by allowing this criminal original petition.

For Petitioner : Mr.S.Vijayakumar

For Respondent : Mr.M.Mohamed Riyaz
Addl. Public Prosecutor for R1
M/s.A.M.Amutha Ganesh &
Mr.V.Manikandan for R2

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.7584 of 2017 pending on the file of the learned XVIII Metropolitan Magistrate Court, Saidapet, Chennai.

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. The learned counsel for both sides submitted that the matter was referred to the Mediation Centre and the parties have entered into a settlement before the Mediation Centre. The

Mediation Report dated 20.12.2018 specifically states that the matter has been settled between the parties.

4. A memo of Compromise, dated 21.12.2018, has been filed before this Court which have been signed by the second petitioner and the second respondent and also by their respective counsel. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5. 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 Case in C.C.No.7584 of 2017 pending on the file of the learned XVIII Metropolitan Magistrate Court, Saidapet, Chennai.

***6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.7584 of 2017 on the file of the learned XVIII Metropolitan Magistrate Court, Saidapet, Chennai, is hereby quashed and the terms of Memo of Compromise shall form part and parcel of this order. The petitioners shall pay a sum of Rs.1,000/- as costs, to the credit of the Chief Justice Relief Fund, within a period of two weeks from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo.**

s/d-

Assistant Registrar

Dated:05/02/2019

*Amended order as per order
dated 25/03/2019 in CrI.O.P.
No.28129 of 2018

Sd/-

Assistant Registrar

Dated:05/04/2019

True Copy

Sub-Assistant Registrar

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To

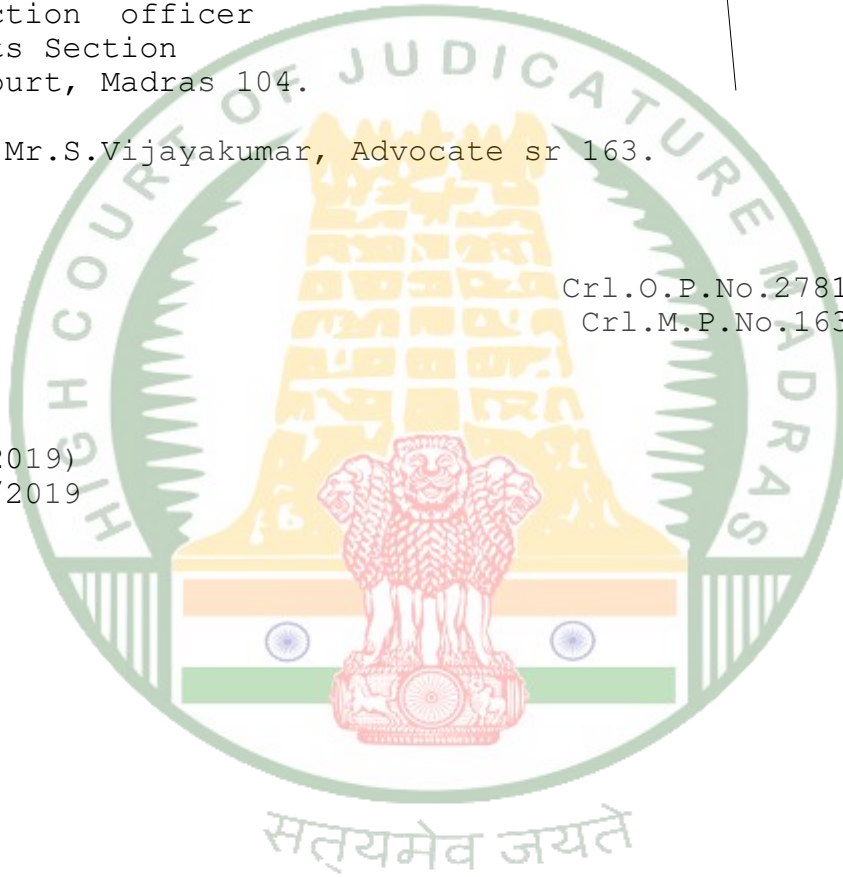
1. The Inspector of Police,
W-23, All Women Police Station,
Royapettah, Chennai District-600 014.

2. The XVIII Metropolitan Magistrate Court,
Saidapet,
Chennai
 3. Do Thro The Chief Metropolitan Magistrate
Egmore, Chennai.
 - 4.The Public Prosecutor,
High Court,
Madras.
 5. The Section officer
Accounts Section
High Court, Madras 104.
- +5 Ccs to Mr.S.Vijayakumar, Advocate sr 163.

To be substituted
to the order
already despatched
on 15/03/2019

Cr1.O.P.No.27819 of 2018 &
Cr1.M.P.No.16356 of 2018

VD(CO)
SP(12/02/2019)
srg 05/04/2019



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