

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No. 662 of 2019

P.Jothi

...Petitioner

Vs.

1. The State represented by,
The Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai.

2. K.Prabhu

....Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records in C.C.No.9826 of 2018 on the file of the learned XVII Metropolitan Magistrate at Saidapet in Crime No.654 of 2018 on the file of the Inspector of Police, F-5 Choolaimedu Police Station, Chennai and quash the same.

For Petitioner : Mr.M.Krishnamoorthy

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

: Mr.V.Nanmaran for R2

ORDER

The Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.9826 of 2018 on the file of the learned XVII Metropolitan Magistrate at Saidapet in Crime No.654 of 2018 on the file of the Inspector of Police, F-5 Choolaimedu Police Station, Chennai.

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. A common affidavit has been filed before this Court which has 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 produce the copy of the Aadhaar Card 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 case 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 C.C.No.9826 of 2018 on the file of the learned XVII Metropolitan Magistrate at Saidapet.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.9826 of 2018, on the file of the learned XVII Metropolitan Magistrate at Saidapet, is quashed and the terms of the Common Affidavit dated 02.01.2019, filed by the parties 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 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

dh/kal

To

1. The Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai.
2. The XVII Metropolitan Magistrate, Saidapet.
3. The Public Prosecutor, High Court, Madras.

+1cc to Mr.M.Krishnamoorthy, Advocate SR.No.2576

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KS (CO)
GMY (01/02/2019)