

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.1679 of 2019

Mayalagan

... Petitioner

-Vs-

1. State Rep. by,
Inspector of Police
Dharapuram Police Station,
Dharapuram.

2. Arunkumar

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the entire records relating to C.C.No.257 of 2014 on the file of the Judicial Magistrate, Dharapuram and quash the same as far the petitioner is concern.

For Petitioner : Mr.T.Padmanabhan

For R1 : Mr.Mohamed Riyaz
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.257 of 2014, on the file of the Judicial Magistrate, Dharapuram, for an alleged offences under Sections 148, 324, 506(ii) of IPC r/w 149 of IPC.

2. The case is still at 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 affidavit of the second respondent 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 produced the copies of the Aadhaar Card are made part of the record. In the affidavit it has been stated that the petitioner and the

second respondent had entered into a compromise and amicably settled their issues in C.C.No.257 of 2014. 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 Crime No.698 of 2010.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.257 of 2014, on the file of the Judicial Magistrate, Dharapuram, is quashed and the affidavit filed by the parties and shall form part and parcel of this order. The petitioner shall pay a sum of Rs.2,000/- 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.

Sd/-
Deputy Registrar

//True copy//

Sub Assistant Registrar

ssr/kp

To

1. The Judicial Magistrate, Dharapuram.
2. The Inspector of Police
Dharapuram Police Station,
Dharapuram.
3. The Section Officer, Accounts Section,
High Court, Madras.
4. The Public Prosecutor, High Court, Madras.

+1cc to Mr.T.Padmanaban, Advocate SR.No.7366

GMV(31/01/2019)

Cr1.O.P.No.1679 of 2019