

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.2939 of 2018

1.Sumathi
2.Srinivasalu
3.Karunakaran

...Petitioners

Vs.

1.State by,
The Sub Inspector of Police,
K-9, Thiru-Vi-Ka Nagar Police Station
Chennai. (Crime No.1304 of 2018)

2.Jeeva

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in Crime No.1304 of 2018 pending on the file of 1st Respondent and quash the same.

For Petitioners : Mr. G.Ashok Kumar

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

ORDER

This Criminal Original Petition has been filed to quash the F.I.R in Crime No.1304 of 2018 on the file of the Sub Inspector of Police, K-9, Thiru-Vi-Ka Nagar Police Station.

2. The case is still in the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. Both the petitioners and the 2nd respondent/de-facto complainant have entered into a compromise and to that effect they have also separately filed an affidavit dated 08.01.2019 before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. All the parties are present and identified by their respective counsel and the Police. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card are 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.1304 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.1304 of 2018, on the file of The Sub Inspector of Police, K-9, Thiru-Vi-Ka Nagar Police Station Chennai is quashed and the terms of affidavit filed by both the petitioners and the 2nd respondent/de-facto shall form part and parcel of this Order. The petitioners shall jointly pay a sum of Rs.5,000/-, as costs, to the Udavum Karangal, No.460, 25th Street, N S K Nagar, Arumbakkam, Chennai-600 106, 9144-26216321, 26216421, 26222161, 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

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To

1. The Sub Inspector of Police,
K-9, Thiru-Vi-Ka Nagar Police Station
Chennai.

2.The Public Prosecutor,
High Court,
Madras.

+1cc to Mr.G.Ashok Kumar , Advocate SR.No. 9617

Cr1.O.P.No.2939 of 2019

A.SK(06/03/2019)