

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:14.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.26420 of 2016
and
CrI.M.P.Nos.13189 & 13190 of 2016

P.V.Vivek

...Petitioner

Vs.

1.Rajalakshmi V.R
2.P.V.Vinod
3.Jeyanthi
4.P.V.Venkatarathnam

...Respondents

PRAYER:Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire records relating to DVC No.245 of 2016 pending on the file of learned Additional Mahila Court at Allikulam, Chennai and to quash all further proceedings in DVC.No.245 of 2016 pending before the learned Additional Mahila Court at Allikulam, Chennai.

For Petitioner : Mr.A.Sikkandar

For Respondents: No appearance for R1

: M/s.T.S.Kani for R2 to 4

ORDER

This Criminal Original Petition has been filed to call for the entire records relating to DVC No.245 of 2016 pending on the file of learned Additional Mahila Court at Allikulam, Chennai and to quash all further proceedings in DVC.No.245 of 2016 pending before the learned Additional Mahila Court at Allikulam, Chennai.

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.A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the

respondents 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 sides 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 Gujraht), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the DVC No.245 of 2016 pending on the file of learned Additional Mahila Court at Allikulam, Chennai.

5. Accordingly, This Criminal Original Petition stands allowed and as a sequel, the proceedings in DVC No.245 of 2016 pending on the file of learned Additional Mahila Court at Allikulam, Chennai, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this Order. The petitioner shall pay a sum of Rs.5,000/-, as costs, to the Chennapuri Annadana Samajam, No.2, Sundara Salai, R.A.Puram, Chennai-600 028, Ph.+91-044-25354848 / 9841197841, 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. Consequently, connected miscellaneous petitions are closed.

s/d-

Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

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To

1.The Additional Mahila Court,
Allikulam, Chennai

2.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.26420 of 2016
and

Crl.M.P.Nos.13189 & 13190 of 2016

SP(09/04/2019)