

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:25.01.2019

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.1966 of 2019

1.Kamal
2.Mohan

... Petitioners

Vs.

1. State Rep. by
The Inspector of Police,
Rathinagiri Police Station,
Vellore District.

2. Devaraj

... Respondents

Prayer: Criminal Original petition filed under Section 482 of the Criminal Procedure Code, to call for the records pending on the file of the first respondent police namely the Inspector of Police, Rathinagiri Police Station, Vellore District in Cr.No.268 of 2015 and quash the criminal proceeding.

For Petitioners : Mr.D.Dayalan

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

ORDER

The Criminal Original Petition has been filed to quash the investigation in Cr.No.268 of 2015 pending on the file of the Inspector of Police, Rathinagiri Police Station, Vellore District pursuant to the compromise arrived at by the parties.

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 petitioners and the second respondent and also by their respective counsel. The parties were also present before the Court and they were identified and they have also produced the copies of the Aadhaar Card which 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 Cr.No.268 of 2015 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 investigation in Cr.No.268 of 2015, on the file of the first respondent.

5. This Criminal Original Petition stands allowed and as a sequel, the investigation in Cr.No.268 of 2015 on the file of the Inspector of Police, Rathinagiri Police Station, Vellore District is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.1000/- as cost, to the credit of the Chief Justice Relief Fund, High Court, Madras, 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.

*The Xerox Copy of the
Memo of Compromise enclosed

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

dss
To

1. The Inspector of Police,
Rathinagiri Police Station, Vellore District.
2. The Section Officer,
Account Section, High Court, Madras.
3. The Public Prosecutor,
Madras High Court.

+lcc to Mr.D.Dayalan, Advocate Sr.6121

srg 13/02/2019

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