

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2019

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.2423 of 2019
and Crl.M.P.No.1585 of 2019

A.Manikandan

... Petitioner

Vs.

1.State represented by
The Inspector of Police,
G-1, Madurantakam Police Station,
Kancheepuram District.
(Crime No.1199 of 2011)

2.N.Balu

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for records relating to the First Information Report in Cr.No.1199 of 2011 on the file of the first respondent herein, quash the same.

For Petitioner : Mr.G.Magesh Kumar

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

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in Crime No.1199 of 2011, on the file of the respondent police, for an alleged offences under Sections 294 (b), 323 and 506(I) of IPC.

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 Memo of Compromise has been filed by the petitioner and the second respondent before this Court, which have been signed by the petitioner and the second respondent. 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 is pending before the respondent police. 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.1534 of 2017 pending on the file of the respondent police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.1199 of 2011, on the file of the respondent police, 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.1,000/- (Rupees One Thousand 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. Consequently, the connected Miscellaneous Petition is also closed.

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

mpa/rpl
To

1.The Inspector of Police,
G-1, Madurantakam Police Station,
Kancheepuram District.

2. The Section officer
Accounts Section
High Court, Madras 104.

3.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.G.Magesh Kumar, Advocate sr 8314.

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SP(18/02/2019)