

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2019

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.Nos.2005 of 2019 & 7054 of 2014
and Crl.M.P.Nos.1 and 2 of 2014 in Crl.Op.7054/14

Crl.O.P.No.2005 of 2019

1.Shankar
2.Thiyagarajan
3.Selvadurai

... Petitioners /Accused 2, 5 & 9

Vs.

1.The State represented by
The Assistant Commissioner of Police
North Range,
Kannankurichi Police Station,
Salem - 08.
(Crime No.55 of 2007)

2.I.Arunkumar

... Respondents/Complainant

Crl.O.P.No.7054 of 2014

M.Ganesha Moorthy

Vs.

... Petitioner/Accused 15

State rep by:
The Asst Commissioner of Police,
Law and Order, Northern Range,
Salem.

... Respondent/Complainant

PRAYER in Crl.O.P.No.2005 of 2019: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the case against petitioners in S.C.No.272 of 2012 on the file of the District and Sessions Judge, Salem in Crime No.55 of 2007 on the file of the 1st respondent.

PRAYER in Crl.O.P.No.7054 of 2014: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in S.C.No.272 of 2012 on the file of the Principal Session Judge Salem and to quash the same.

For Petitioners in Crl.O.P.No.2005/19 : Mr.D.Lakshmipathy

For Petitioner in Crl.O.P.No.7054/14 : Mr.R.C.Paul Kanagaraaj

: Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.
(For R1 in Crl.Op.2005/19)
and for Sole Respondent
in Crl.Op.7054/14)

C O M M O N O R D E R

These Criminal Original Petitions have been filed to quash the proceedings in S.C.No.272 of 2012, on the file of the learned Principal Sessions Judge, Salem.

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. An affidavit has been filed by the second respondent before this Court. The parties were also present before the Court. 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.55 of 2007 pending on the file of the respondent police.

5. These Criminal Original Petitions stands allowed and as a sequel, the proceedings in S.C.No.272 of 2012, on the file of the learned Principal Sessions Judge, Salem, is quashed and the terms of affidavit of the second respondent shall form part and parcel of this order. Consequently, the connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mtl

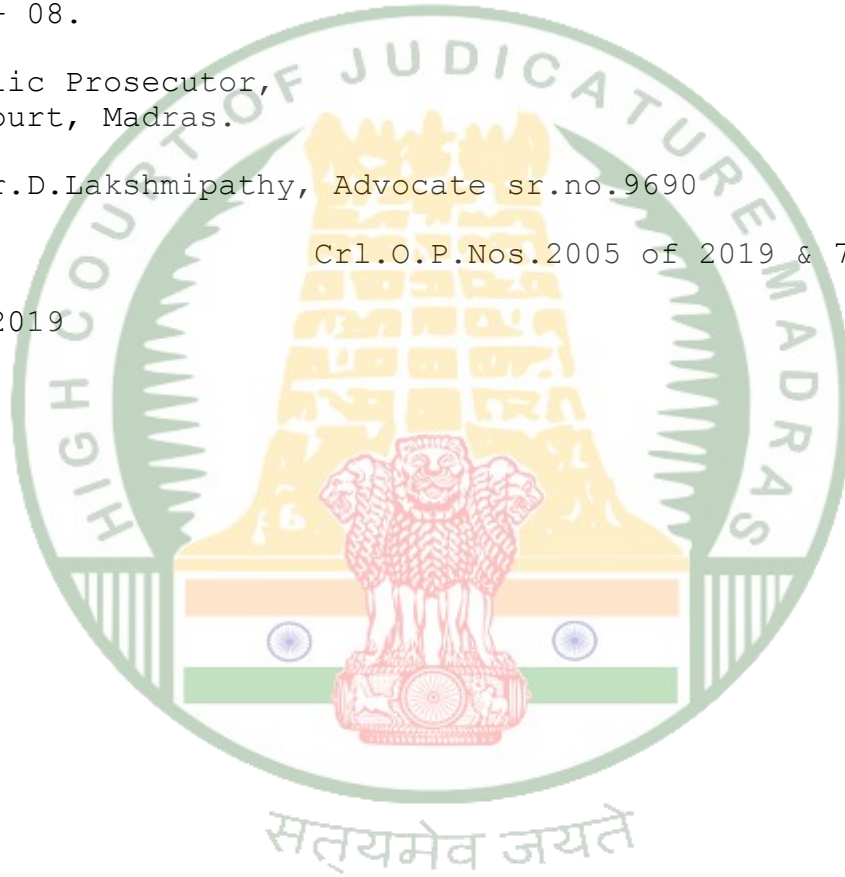
To

- 1.The Principal Sessions Judge, Salem
- 2.The District and Sessions Judge, Salem.
- 3.The Assistant Commissioner of Police
North Range,
Kannankurichi Police Station,
Salem - 08.
- 4.The Public Prosecutor,
High Court, Madras.

+3cc to Mr.D.Lakshmipathy, Advocate sr.no.9690

Crl.O.P.Nos.2005 of 2019 & 7054 of 2014

nr 29/04/2019



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