

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.4041 of 2019
and Crl.M.P.No.2494 of 2019

1.R.Ashok Kumar,
2.P.Deena @ Karthikeyan,
3.R.Sathish,
4.P.Sarath Kumar.Petitioners

Vs.

1.The State rep.by
Inspector of Police
Thiruvannamalai Taluk Police Station,
Thiruvannamalai District.
(Crime No.444 of 2016).

2.K.Elumalai.Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the entire records pursuant to the FIR in Crime No.444 of 2016 on the file of the Inspector of Police, Thiruvannamalai Taluk Police Station, Thiruvannamalai District and quash the same.

For Petitioners: Mr.K.Ezhumalai.

For Respondents: Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed seeking to quash the investigation in Crime No.444 of 2016 on the file of the Inspector of Police, Thiruvannamalai Taluk Police Station, Thiruvannamalai 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 compromise memo has been filed before this Court, which were signed by the petitioners and the second respondent/defacto complainant and also produced the photocopy of their Aadhar Card, which were made part of the record. The respondent Police officials identified the respective parties and the same is accepted. 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 Gujarath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the investigation in Crime No.444 of 2016, on the file of the Inspector of Police, Thiruvannamalai Taluk Police Station, Thiruvannamalai District.

5. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.444 of 2016, on the file of the Inspector of Police, Thiruvannamalai Taluk Police Station, Thiruvannamalai District, is quashed and the terms in the compromise memo shall form part and parcel of this order. Consequently, connected miscellaneous petition is also closed.

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Note:- Photostat copy of the Compromise memo is enclosed herewith

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police
Thiruvannamalai Taluk Police Station,
Thiruvannamalai District.
(Crime No.444 of 2016).
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Ezhumalai, Advocate, S.R.No.13804

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kak(19/02/2019)