

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5762 of 2019

Magesh

...Petitioner

Vs.

1. State by,
The Inspector of Police,
W-9, AWPS, Villivakkam,
Chennai - 600 049.

2.M.Beula
No.25, Pals Court, wheat Crofts Road,
Nungambakkam, Chennai-600 034

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in C.C.No.4985 of 2010 on the file of the Learned Chief Metropolitan Magistrate, Egmore, Chennai and quash the entire Criminal Proceedings in C.C.No.4985 of 2010.

For Petitioners: Mr.B.Ram Prasath

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

: Mr.M.Beula For R2

ORDER

This Criminal Original Petition has been filed to quash the F.I.R in Crime No.6 of 2010 on the file of the Inspector of Police,W-9, All Women Police Station, Villivakkam, Chennai, 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. An affidavit has been filed by the defacto complainant before this Court which has been signed by her and also by her counsel. Both 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 Election Commission of India Identity Card 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 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.6 of 2010.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.6 of 2010, on the file of the Inspector of Police, W-9, All Women Police Station, Villivakkam, Chennai-49, is hereby quashed and the affidavit filed by the defacto complainant shall form part and parcel of this Order. Each of the petitioner shall pay a sum of Rs..5,000/-, as costs, to the Sevalaya, No.54, P.S.Sivaswamy Road (North) Mylapore, Chennai-600 004 (Old age home/orphanage), 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.

-s/d-

Assistant Registrar(CS-I)

True Copy

Sub-Assistant Registrar

sbn/nl

To

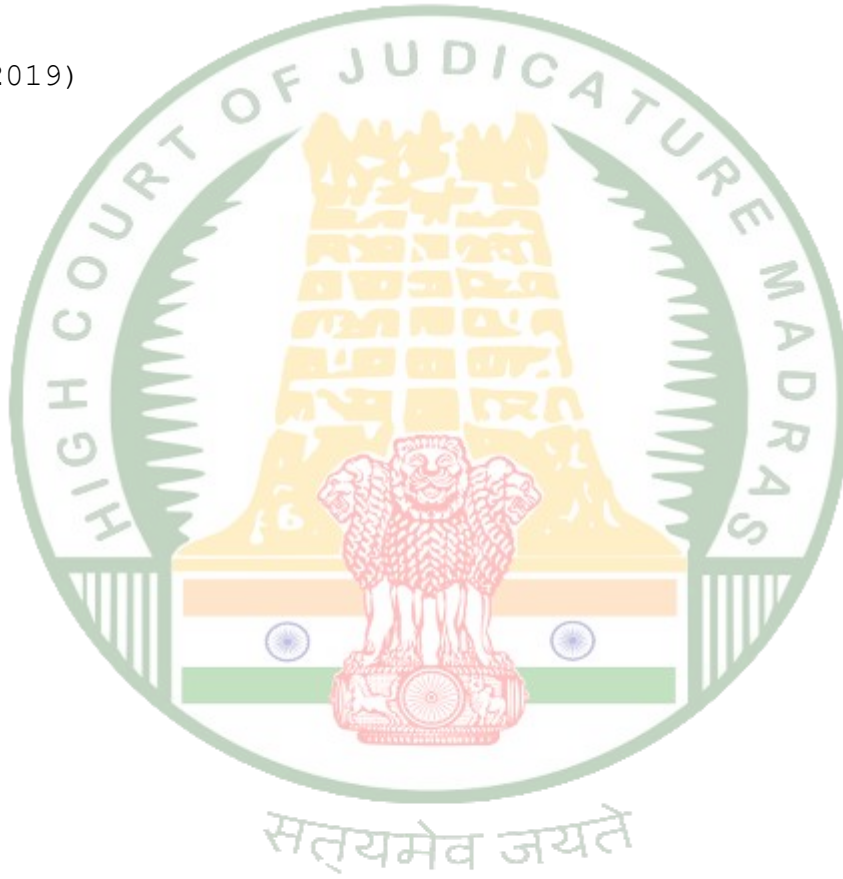
1. The Inspector of Police,
W-9, AWPS, Villivakkam,
Chennai - 600 049.
2. The Chief Metropolitan Magistrate
Egmore.
3. The Public Prosecutor,
High Court,
Madras.
4. The 'Sevalaya'
Old age Home Orphanage
No.54, P.S.Sivaswamy Road(North)
Mylapore, Chennai 600 004.

5. The Section officer
Criminal Section
High Court, Madras 104.

+1 CC to Mr.B.Ramprasanth, Advocate sr 21671.

Cr1.O.P.No. 5762 of 2019

SP(13/03/2019)



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