

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.12472 of 2018 and
Crl.M.P.No.6658 of 2018

Gautham Raj

..Petitioner/Accused I

Vs.

1. The State Rep. by
Sub Inspector of Police,
Annamalai Nagar Police Station,
Chidambaram Taluk,
Cuddalore District.
(Crime No.473 of 2016)

2. K.Dhevaguru ..Respondents
(R2 is impleaded as per order in Crl.M.P.No.11092 of 2019
in Crl.O.P.No.12472 of 2018 dated 08.08.2019)

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to call for the entire records in STC.No.29 of 2017, on the file of the Judicial Magistrate No.I, Chidambaram and quash the same against the petitioner/accused No.1.

For Petitioner : Mr. R.Natarajan

For 1st Respondent: Mr.C.Raghavan
Government Advocate (Crl.side)for R1
Mr.V..Parthiban for R2

ORDER

The Criminal Original Petition has been filed to call for the entire records in STC.No.29 of 2017, on the file of the Judicial Magistrate No.I, Chidambaram and quash the same against the petitioner/accused No.1.

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. The Affidavit dated 19.08.2019 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present in person

before this Court. In order to identify the respective parties, they have also produced the copy of the Aadhaar Card is 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 S.T.C.No.29 of 2017, pending on the file of the Judicial Magistrate No-I, Chidambaram.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.T.C.No.29 of 2017, on the file of the Judicial Magistrate No-I, Chidambaram, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.750/- (Rupees seven hundred and fifty 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.

*Xerox copy of The Affidavit of the 2nd respondent/Dhevaguru Enclosed.

Sd/-/-

Assistant Registrar(Insp cell)

//True Copy//

Sub Assistant Registrar

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To

1.The Sub Inspector of Police,
Annamalai Nagar Police Station,
Chidambaram Taluk,
Cuddalore District.
(Crime No.473 of 2016)

2.The Judicial Magistrate-I,
Chidambaram.

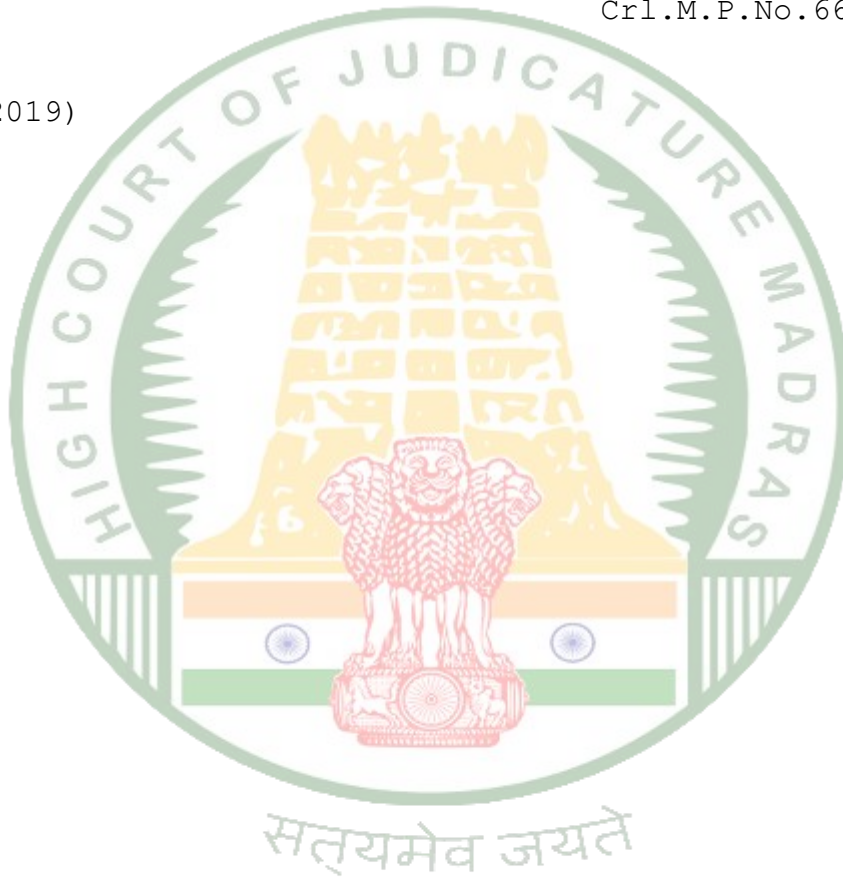
3.The Sub Assistant Registrar,
Accounts Section, High court, Madras-104.

4.The Public Prosecutor,
High Court,
Madras.

+2cc to Mr.R.Natarajan, Advocate SR.70187

CrI.O.P.No.12472 of 2018 and
CrI.M.P.No.6658 of 2018

PVS (CO)
CB(14/10/2019)



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