

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No. 12668 of 2018

Saravana Kaliyan

...Petitioner

Vs.

1. The Inspector of Police,
W-30, All Women Police Station
Poonamallee, Chennai- 600 056.
(Crime No.04 of 2018)

2. Anushuya G

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to Crime No.04 of 2018 pending on the file of the 1st respondent police and quash the same.

For Petitioner : Ms.S.P.Arthi

For Respondents

For R1 : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

For R2 : Mr.P.Puhazh Gandhi

ORDER

This Criminal Original Petition has been filed to quash the F.I.R in Crime No.04 of 2018 on the file of the 1st respondent police, 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 Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsel. All 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 Aadhaar 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.04 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.04 of 2018, on the file of the 1st 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.5,000/-, as costs, to the Chief Justice Relief Fund, 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.

Xerox Copy of Joint Memo compromise attached.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

ssr

To

1.The Inspector of Police,
W-30, All Women Police Station
Poonamallee,
Chennai - 600 056.

2.The Public Prosecutor,
High Court, Madras.

Copy To

The Sub Assistant Registrar,
Accounts Section, High Court,
Madras.

+1cc to Mr.S.P.Arthi, Advocate, S.R.No. 28858

Cr1.O.P.No. 12668 of 2018

SSD(CO)
GN(29/05/2019)