

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 15.03.2019
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.7035 of 2019
and Crl.M.P.No.3870 of 2019

B.Saravanan

...Petitioner

Vs.

1.State by,
The Inspector of Police (Crime),
Pallikaranai Police Station
Chennai.
(Crime No.78 of 2019)

2.A.Kumar

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in Crime No.78 of 2019 dated 21.01.2019, on the file of the Inspector of Police, Pallikaranai Police Station, Chennai, the first respondent herein and quash the same as illegal.

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

ORDER

This Criminal Original Petition has been filed to quash the F.I.R in Crime No.78 of 2019 on the file of the first respondent police registered for the offences under Sections 419, 420 of IPC and Section 15(2) of Indian Medical Council Act, 1956.

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 second respondent before this Court to that effect. 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.78 of 2019.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.78 of 2019, on the file of the Inspector of Police, Pallikaranai Police Station, Chennai is quashed and the terms of the affidavit shall form part and parcel of this Order. The petitioner shall pay a sum of Rs.5,000/-, as costs, to the Sevalaya, No.54, P.S.Sivaswamy Road (North), Mylapore, Chennai, Ph:044-24982204, 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, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

rts

To

1.The Inspector of Police (Crime),
Pallikaranai Police Station
Chennai.

2.The Public Prosecutor,
High Court, Madras. सत्यमेव जयते

+1 cc to Mr.R.Sankarasubbu, Advocate, Sr.No. 24802

CSL/25.04.2019

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and Cr1.M.P.No.3870 of 2019

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