

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 12.04.2019
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.7490 of 2019

John Basha @ Chand Basha ...Petitioner

Vs.

1.The Inspector of Police,
Central Crime Branch,
Vepery, Chennai 600 007.

2.Periasamy ...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records and quash the First Information Report in Crime No.92 of 2015 pending investigation by the 1st respondent.

For Petitioner : Mr.K.S.Murugan

For Respondent 1: Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to call for the records and quash the First Information Report in Crime No.92 of 2015 pending investigation by the 1st respondent.

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.92 of 2015.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.92 of 2015, on the file of the first respondent police is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this Order. Each of the petitioners shall pay a sum of Rs.5000/-, as costs, to the address of No.460, 25th Street, NSK Nagar, Arumbakkam, Chennai 600 106. 9144 - 26216321, 26216421, 26222161 (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-

Deputy Registrar(CJ conf)

True Copy

Sub-Assistant Registrar

rna
To

1.The Inspector of Police,
Central Crime Branch,
Vepery, Chennai 600 007.

2.The Public Prosecutor,
High Court, Madras.

+3ccs to Mr.K.S.Murugan , Advocate SR.No. 36217

Cr1.O.P.No.7490 of 2019

A.SK(16/05/2019)

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