

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.8130 of 2019

R.Alex

...Petitioner

Vs.

1.The State Rep. by,
The Sub Inspector of Police,
Korattur Police Station,
Ambattur, Chennai.
(Cr.No.275 of 2018)

2.K.Jeevan

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire records pursuant to the case in C.C.No.141 of 2018 on the file of the Judicial Magistrate, Ambattur and quash the final report based upon compromise memo filed same by allowing this Criminal Original Petition.

For Petitioners: Mr.K.Ezhumalai

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

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.141 of 2018 on the file of the Judicial Magistrate, Ambattur, pursuant to the compromise arrived at by the parties.

2.The said C.C.No.141 of 2018 is pending for trial. 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 proceedings in C.C.No.141 of 2018.

(*) "This Criminal Original petition stands allowed and as a sequel, the proceedings in C.C.No.141 of 2018, on the file of the Judicial Magistrate, Ambattur is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order."

(*)The Xerox copy of the Memo of Compromise enclosed

Sd/-

Assistant Registrar(CS IV)
(06.05.2019)

sd/-

Assistant Registrar (CS-IV)
(21.06.2019)

(Corrected as per the order of this Court dated 12.06.2019)

//True Copy//

Sub Assistant Registrar

vv2
To

1.The Judicial Magistrate,
Ambattur.

2.-Do- Thro The Chief Judicial Magistrate,
Chennai.

3.The Sub Inspector of Police,
Korattur Police Station,
Ambattur, Chennai.

**(*)To be substituted
to the order already
despatched on 08.05.19**

4.The Public Prosecutor,
High Court, Madras.

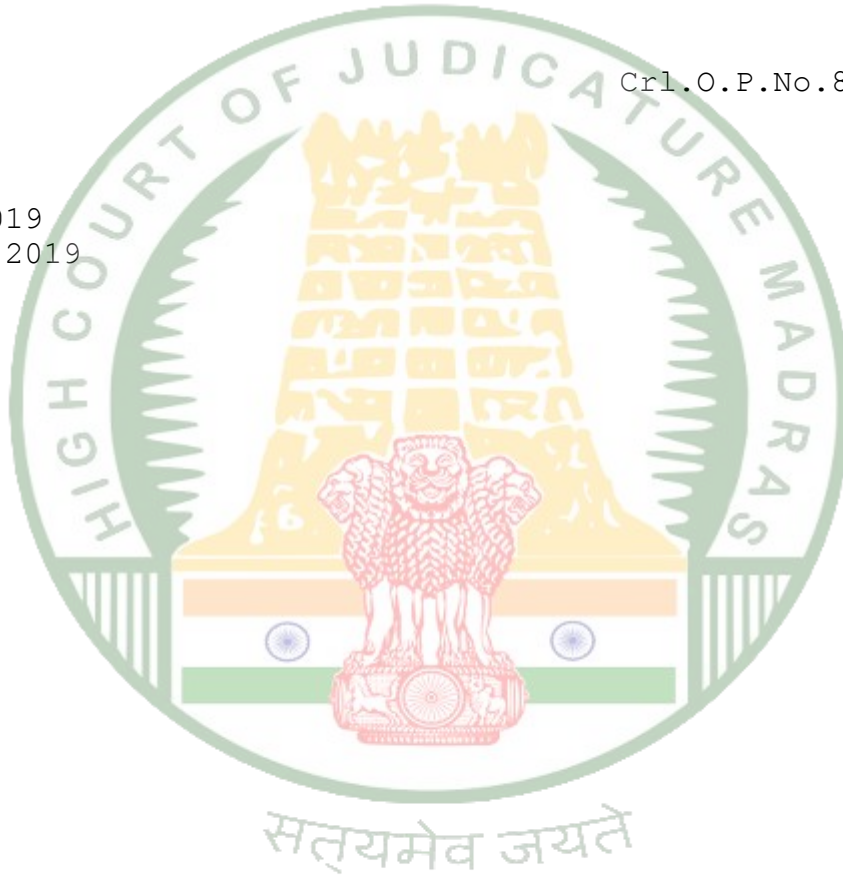
5.The Sub Assistant Registrar,
Accounts Section,
High Court, Chennai.

+2 cc to Mr.K.Ezhumalai, Advocate Sr.32185

+1 cc to Mr.K.Ezhumalai, Advocate, Sr.No. 47318 (08.07.2019)

Cr1.O.P.No.8130 of 2019

kk[co]
srg 6/5/2019
CSL/24.06.2019



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