

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.14643 of 2019 and
Crl.M.P.No.7091 of 2019

A.Ambrose Kulandairaj ..Petitioner

Vs.

1. The Inspector of Police,
DCB, Namakkal.
(Crime No.5/2007)

2. Tamizhmani @ Vimalamary ..Respondents

PRAYER :

Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to call for the records relating to C.C.No.57 of 2015, before the Judicial Magistrate, Tiruchengode, Namakkal and quash the same.

For Petitioner : Mr.T.Gowthaman

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

ORDER

The Criminal Original Petition has been filed to call for the records relating to C.C.No.57 of 2015, before the Judicial Magistrate, Tiruchengode, Namakkal and quash the same.

2. This Court passed the following order on 19.07.2019:

The Mediation report has been received in this case and it is seen that there was a settlement agreement between the parties and the petitioner has agreed to pay a sum of Rs.1,00,000/- to the 2nd respondent on or before 16.08.2019

Post this case on 19.08.2019 under the same caption at 02.15 p.m.

3. The parties were present before this Court today and they were duly identified by the police officials. The petitioner paid a sum of Rs.1,00,000/- to the 2nd respondent by way of Demand Draft, the said payment is recorded.

4. In terms of the settlement between the parties before the Mediation Centre and in terms of the Joint Compromise Memo dated 19.08.2019, 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 C.C.No.57 of 2015, before the Judicial Magistrate, Tiruchengode, Namakkal .

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.57 of 2015, before the Judicial Magistrate, Tiruchengode, Namakkal, 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 Memo of Compromise enclosed

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate,
Tiruchengode,
Namakkal.
2. The Inspector of Police,
DCB, Namakkal.

3. The Public Prosecutor,
High Court,
Madras.

Copy To

1. The Section Officer,
Accounts Section,
High Court, Madras-104.
2. The Section Officer,
Criminal Section,
High Court, Madras-104.

+1cc to Mr.T.Gowthaman, Advocate, S.R.No.71320

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PPA(CO)
CS/01/10/2019