

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:01.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.8149 of 2019
and
Crl.M.P.No.4396 of 2019

1.Murugesh
2.Vaithiyanathan

...Petitioners

.Vs.

1.The State Rep. by
Inspector of Police
Mangalam Police Station
Tiruppur District

2.N.Balan

...Respondents

PRAYER:Criminal Original Petition is filed under Section 482 of Cr.P.C., to call the records and quash the proceedings in Crime No.16/2019 pending on the file of the Mangalam Police Station, Tiruppur District for offences under Sections 435 of IPC and Section 4 of TNPPDL Act.

For Petitioners : Mr.Deepan Uday

For Respondents : Mr.Mohamed Riyaz for R1
Additional Public Prosecutor

: Mr.L.Saradh Kumar for R2

ORDER

This Criminal Original Petition has been filed to call the records and quash the proceedings in Crime No.16/2019 pending on the file of the Mangalam Police Station, Tiruppur District for offences under Sections 435 of IPC and Section 4 of TNPPDL Act.

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 petitioners and the 2nd respondent and also by their respective counsel dated 01.04.2019. An affidavit has also been filed by the 2nd respondent / defacto complainant before this Court. 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 sides 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 proceedings in Crime No.16 of 2019 pending on the file of the 1st respondent police, Tiruppur.

5.Accordingly, This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.16 of 2019 pending on the file of the 1st respondent police, is quashed and the terms of the Joint Compromise Memo and affidavit filed by the 2nd respondent shall form part and parcel of this Order. The petitioners shall jointly pay a sum of Rs.5,000/-, as costs, to the Annaiyar Old Age Home, SPK Nagar Adhiyur Pirivu, Kalipalayam, Permanallur, Tirupur -641 666 Permanallur to Erode Bypass Road, Phone: 9152710292, 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.

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* Copy of Joint compromise memo is enclosed

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police
Mangalam Police Station
Tiruppur District

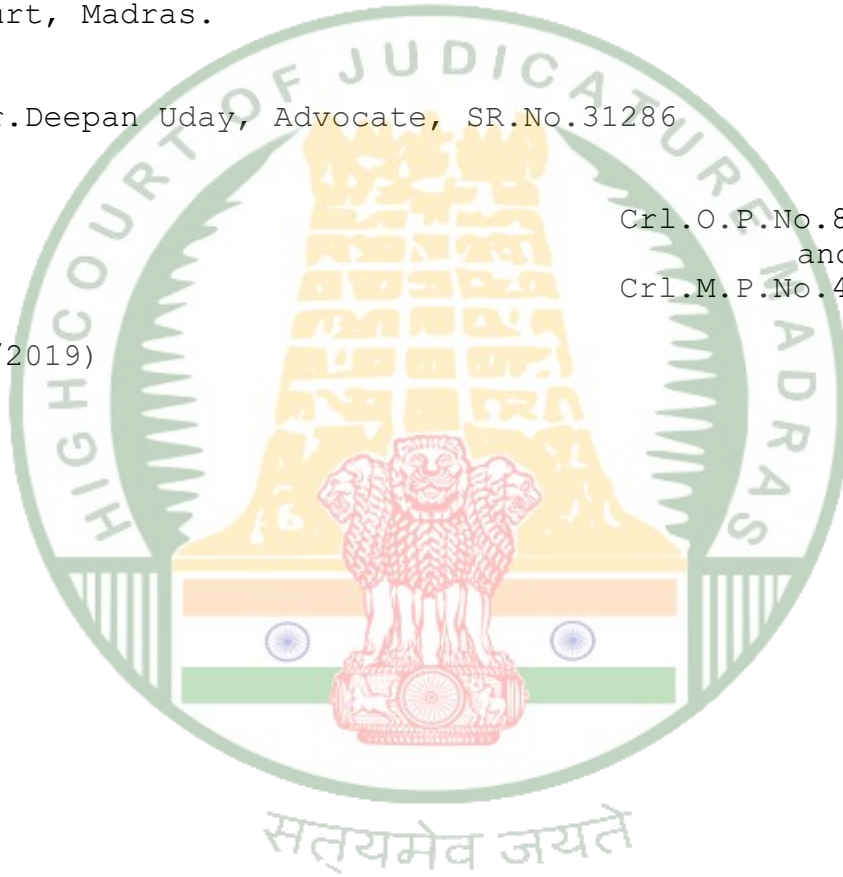
2.The Public Prosecutor,
High Court of Madras.

3.The Registrar (Judicial),
High Court, Madras.

+1cc to Mr.Deepan Uday, Advocate, SR.No.31286

CrI.O.P.No.8149 of 2019
and
CrI.M.P.No.4396 of 2019

Kak(21/05/2019)



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