

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:18.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.22367 of 2018

and

CrI.M.P.No.12380 of 2018

1.M/s.Subhasri Realty (P) Ltd.,
No.86, Periyar EVR High Road
Vepery, Chennai 600 007

2.M/s.Subhasri Realty (P) Ltd.,
Rep. by its Director and Authorised Signatory
S.Balasubramanian Adhitiyan

...Petitioners

Vs

J.Ponsingh

...Respondent

PRAYER:Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records on the file of the learned Judicial Magistrate, Alandur in C.C.No.536 of 2018 and quash the same.

For Petitioners : Mr.D.Revathi Karthick

For Respondent : Mr.Balaji Sankar Moorthy

ORDER

This Criminal Original Petition has been filed by the petitioners to call for the records on the file of the learned Judicial Magistrate, Alandur in C.C.No.536 of 2018 and quash the same.

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 dated 15.03.2019 has been filed before this Court which have been signed by the petitioners and the 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 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 C.C.No.536 of 2018 pending on the file of learned Judicial Magistrate, Alandur.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.536 of 2018 pending on the file of learned Judicial Magistrate, Alandur is quashed and the terms of Joint Memo of Compromise 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-600 004, Tamil Nadu, India, Ph.+91-44-24982204 / 9884503039 / 9444620289, 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.

s/d-
Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

To

1. The Judicial Magistrate, Alandur
2. Do Thro The Chief Judicial Magistrate
Chennai.
3. The Public Prosecutor,
High Court of Madras.
4. The Sevalaya, No.54,
P.S.Sivaswamy Road, (North), Mylapore,
Chennai-600 004
- +2 Ccs to Ms.D.Revathi Karthick, Advocate sr 25252.

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SP(19/03/2019)