

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:01.04.2019
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.8740 of 2019
and
Crl.M.P.No.4636 of 2019

1.Mr.Suresh
2.Sumithra

...Petitioners

Vs.

1.State rep. by
The Inspector of Police
Central Crime Branch
Chennai
(Crime No.55 of 2017)

2.Malathi

...Respondents

PRAYER:Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to FIR in Crime No.55 of 2017 on the file of Central Crime Branch Police, Chennai and quash the same.

For Petitioners : Mr.V.R.Appaswamee

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

: Mr.S.R.Shenbaga Babu for R2

ORDER

This Criminal Original Petition has been filed to call for the records relating to FIR in Crime No.55 of 2017 on the file of Central Crime Branch Police, Chennai 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.An affidavit has 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 Gujraht), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in Crime No.55 of 2017 pending on the file of the 1st respondent police.

5.Accordingly, This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.55 of 2017 pending on the file of the 1st respondent police, is quashed and the terms of 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 Chennapuri Annadana Samajam, No.2, Sundara Salai, R.A.Puram, Chennai-600 028, Ph.+91-044-25354848 / 9841197841, 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.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police
Central Crime Branch
Chennai.

2.The Public Prosecutor,
High Court of Madras.

+1 cc to Mr.V.R.Appaswamee, Advocate, Sr.No. 30894

+1 cc to Mr.SR.Shenbagababu, Advocate, Sr.No. 31725

Cr1.O.P.No.8740 of 2019
and Cr1.M.P.No.4636 of 2019

CN (CO)
CSL/09.05.2019