

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P No.9552 of 2019
and
Crl.M.P.No.5012 of 2019

D.Sakthivel

...Petitioner

vs.

1. State rep. By
The Inspector of Police,
H-6 R.K Nagar Police Station,
Chennai District
Crime No.68 of 2019

2. V.Santhosh

... Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the proceedings in Crime No.68 of 2019, pending investigation on the file of the Inspector of Police, RK Nagar Police Station, Chennai District.

For Petitioner : Mr.C.D.Johnson

For 1st Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.68 of 2019, pending on the file of the 1st respondent.

2. The case is still at 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 08.07.2019 has been filed by the petitioner and the second respondent/de-facto

complainant before this Court. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr. S.Mani, Sub-Inspector of Police, H-6, R.K Nagar Police Station, PH: 9962322330. In order to identify the respective parties they have also produced the copies of the Aadhaar Card are made part of the record. In the Joint Memo of Compromise, it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Crime No.68 of 2019. 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.68 of 2019.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.68 of 2019, is hereby quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.1000/- (Rupees one Thousand 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 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 closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

uma

1. The Inspector of Police,
H-6 R.K Nagar Police Station,
Chennai District.
2. The Public Prosecutor
High Court of Madras.

3. The Section Officer,
Accounts Section,
High Court, Madras-104.

+1cc to Mr.C.D.Johnson, Advocate, S.R.No.57057

Cr1.O.P No.9552 of 2019
and
Cr1.M.P.No.5012 of 2019

SPD(CO)
CS/13/08/2019



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