

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:15.04.2019
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.9441 of 2019

Rakeshkumar

...Petitioner

Vs.

1.The Inspector of Police
W-18, All Women Police Station
MKB Nagar, Chennai
Crime No.01 of 2017

2.J.Dhivya

...Respondents

PRAYER:Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the charge sheet in C.C.No.178 of 2017 on the file of the Additional Mahila Court, Egmore and quash the same.

For Petitioner : Mr.M.Senthilkumar

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

ORDER

This Criminal Original Petition has been filed to call for the records to call for the records pertaining to the charge sheet in C.C.No.178 of 2017 on the file of the Additional Mahila Court, Egmore 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 and the petitioner jointly 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 C.C.No.178 of 2017 pending on the file of the Additional Mahila Court, Egmore, Chennai.

5. Accordingly, This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.178 of 2017 pending on the file of the Additional Mahila Court, Egmore, Chennai is quashed and the terms of joint affidavit filed by the 2nd respondent and the petitioner shall form part and parcel of this Order. The petitioner shall jointly pay a sum of Rs.5,000/-, as costs, to the Chennapuri Annadana Samajam, No.2, Sundara Salai, R.A.Puram, Chennai-28, 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.

*Enclosed Xerox Copy of the Common Affidavit.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Additional Mahila Court
Egmore
Chennai.

2. The Inspector of Police
W-18, All Women Police Station
MKB Nagar, Chennai
Crime No.01 of 2017

3. The Public Prosecutor,
High Court of Madras.

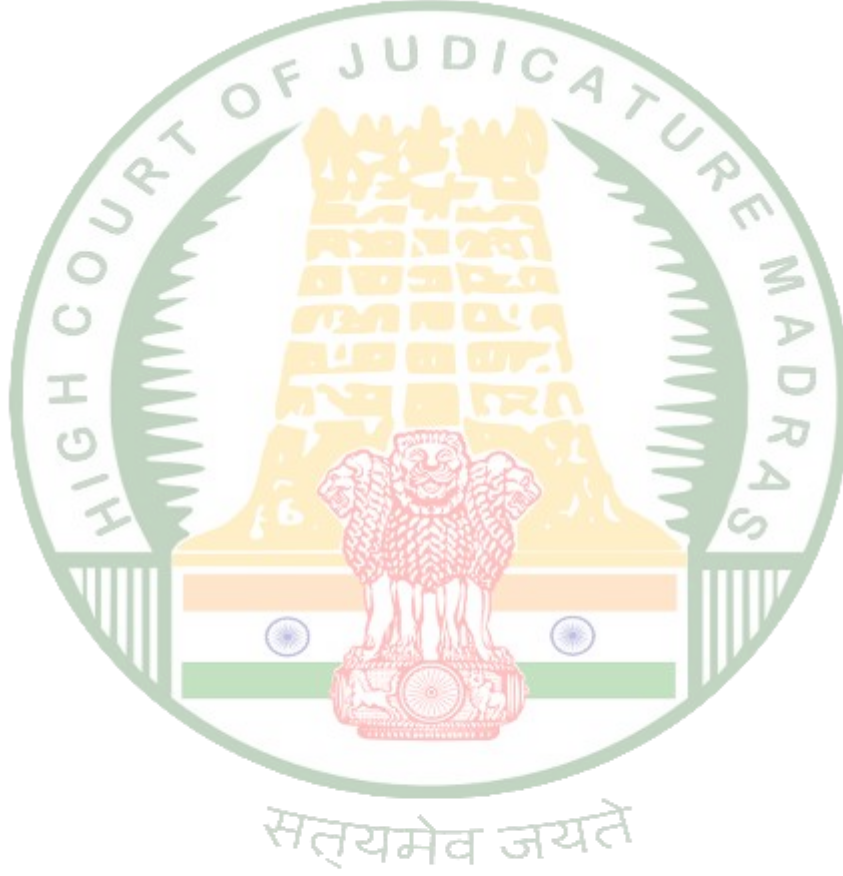
Copy to:

The Chennapuri Annadana Samajam,
No.2, Sundara Salai,
R.A.Puram, Chennai-28

+1cc to Mr.M.Senthilkumar, Advocate sr.37318

Cr1.O.P.No.9441 of 2019

rk(co)
nr 30/05/2019



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