

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.OP Nos.11368 of 2019

Prakash

.. Petitioner

.Vs.

1. The State of Tamil Nadu,
Represented by the Sub-Inspector of Police,
EDF-II, Team III
Central Crime Branch
Vepery, Chennai-600 007.

2.S.S.Sharavana Kumar,
General Manager,
PAS Petro Products,
No.16, Nainar Nadar Road,
Mylapore, Chennai-600 004.

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records and quash the proceedings in Crime No.330 of 2018, on the file of the first respondent police against the petitioner who is arraigned as the third accused.

For Petitioner : Mr.Geetha Ramaseshan

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

: Mr.P.Gunaraj for R2

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.330 of 2018, pending on the file of the first respondent police, Vepery, Chennai-600 007.

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. The Affidavit dated 05.08.2019 has been filed by the 2nd 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 the Investigating

Officer. In order to identify the respective parties, they have also produced the copy of the Aadhaar Card is made part of the record. 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.330 of 2018, pending on the file of the first respondent police, Vepery, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.330 of 2018, on the file of the first respondent police, Vepery, Chennai, is quashed and the terms of affidavit shall form part and parcel of this order.

6. In the result, the FIR in Cr.No.330 of 2018 , is hereby quashed insofar as this petitioner is concerned and the respondent Police is directed to proceed further with the investigation in accordance with law and complete the investigation and file a final report or a closure report, as the case may be, as against other accused persons, within a period of three months from the date of receipt of copy of this order. Consequently, connected miscellaneous petition is closed.

tta

*Copy of Affidavit enclosed

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Sub-Inspector of Police,
Government of Tamil Nadu,
EDF-II, Team III, Central Crime Branch
Vepery, Chennai-600 007.

2. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.11368 of 2019

Kak (27/09/2019)