

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.10979 of 2019

1.B.Dhanasekar
2.B.Sivakumar
3.B.Karthikeyan
4.J.Tamilselvan ...Petitioners/Accused

Vs.

1.State Rep by,
The Inspector of Police,
H-1, Washermenpet Police Station,
Chennai.
(Crime No.99 of 2019) ...R1/Complainant

2.Gothandaraman ...R2/Defacto-Complainant/Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records of the entire proceedings in Crime No.99 of 2019 on the file of the 1st respondent and quash the same.

For Petitioners: Mr.K.Thenrajan

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

For R2 : Mr.E.Viswanathan

ORDER

This Criminal Original Petition has been filed to quash the F.I.R in Crime No.99 of 2019 on the file of the 1st respondent, pursuant to the compromise arrived at by the parties.

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 has been filed before this Court which have been signed by the petitioners and the second 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 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.99 of 2019.

5. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.99 of 2019, on the file of the 1st respondent is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this Order. Each of the petitioners shall pay a sum of Rs.5,000/- (Rupees five thousand only), as costs, to the Udavum Karangal, No.460, 25th Street, N.S.K. Nagar, Arumbakkam, Chennai, 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.

*Copy of the Memo of Compromise is enclosed

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

vv2

To

1. The Inspector of Police,
H-1, Washermenpet Police Station,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Thenrajan, Advocate SR.No.43006

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RV (CO)
GMY (24/05/2019)