

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.OP.No.11596 of 2019

Joshua Samuel ... Petitioner / Accused

Vs.

1. The Inspector of Police,  
All Women Police Station,  
St.Thomas Mount,  
Chennai.

2. N.Sujitha ... Respondents / Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in Crime No.1 of 2018 dated 08.01.2018 on the file of the 1<sup>st</sup> respondent, St.Thomas Police Station, All Women Police Station and quash the same.

For Petitioner : Mr.S.Santhan

For Respondents : Mr.M.Mohamed Riyaz for R1  
Additional Public Prosecutor  
Mr.Ravi Shankar for R2

O R D E R

This Criminal Original Petition has been filed to quash the FIR in Crime No.1 of 2018 dated 08.01.2018, on the file of the first respondent, St.Thomas Police Station, All Women Police Station.

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 Memorandum of Understanding has been filed before this Court which have been signed by the petitioner and the second respondent. 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.1 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.1 of 2018, on the file of the Inspector of Police, St. Thomas Police Station, All Women Police Station, Chennai is quashed and the terms of Memorandum of Understanding shall form part and parcel of this Order. The petitioner shall pay a sum of Rs.5,000/-, as costs, to Udhavum Karangal, No.460, 25<sup>th</sup> Street, NSK Nagar, Arumbakkam, Chennai - 600 106 (Old age home/orphanage), 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 Memorandum of Understanding is enclosed herewith

Sd/-

Assistant Registrar (CS-V)

//True Copy//

pam  
To

Sub Assistant Registrar

1. The Inspector of Police,  
All Women Police Station,  
St. Thomas Mount, Chennai.
2. The Public Prosecutor,  
High Court, Chennai-104.
3. The Administrative Officer,  
Udhavum Karangal, (Old age home/orphanage)  
No.460, 25<sup>th</sup> Street, NSK Nagar,  
Arumbakkam, Chennai - 600 106
4. The Registrar Judicial,  
High Court, Madras.

+1 cc to M/s.S.Santhan, Advocate, S.R.No.42653

CRL.OP.No.11596 of 2019

SAI (CO)  
SSM(19/06/2019)