

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.12067 of 2019

Karna

... Petitioner

Vs.

1.State By

The Inspector of Police
Secretariat Colony Police Station
Chennai.
(Crime No.1058 of 2017)

2.Shankar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records related to the case in C.C.No.254 of 2019, on the file of the respondent police and quash the same, as against the petitioner/accused.

For Petitioner : Mr.Thamaraiselvan.R

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

ORDER

The Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records related to the case in C.C.No.254 of 2019, on the file of the respondent police and quash the same, as against the petitioner/accused.

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 compromise affidavit has been filed by the petitioner before this Court submitting that the issue has been amicably settled with the second respondent / defacto complainant. 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 C.C.No.254 of 2019, on the file of the II Metropolitan Magistrate Court at Egmore, Chennai.

5. Accordingly, This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.254 of 2019, on the file of the II Metropolitan Magistrate Court at Egmore, Chennai, is quashed and the terms of the compromise affidavit filed by the petitioner dated 29.04.2019 shall form part and parcel of this Order. The petitioner shall pay a sum of Rs.5,000/-, as costs, to the Chennapuri Annadana Samajam, No.2, Sundara Salai, R.A.Puram, Chennai-600 028, 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.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kas

To

1. The Judicial Magistrate, Egmore, Chennai.
2. The Chennapuri Annadana Samajam,
No.2, Sundara Salai, R.A.Puram, Chennai-600 028,
Ph.+91-044-25354848 / 9841197841

3. The Inspector of Police,
Secretariat Colony Police Station, Chennai.

4. The Public Prosecutor,
High Court of Madras.

+1 cc to Mr.R.Thamaraiselvan, Advocate, Sr.No. 42395

CrI.O.P.No.12067 of 2019

CSL/16.05.2019