

IN THE HIGH Court OF JUDICATURE AT MADRAS

DATED: 19.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.Nos.14313, 15007, 15009 & 15012 of 2019

Crl.O.P.No.14313 of 2019

NabiShah

.. Petitioner

Vs.

1.The State of Tamil Nadu,
Rep by the Inspector of Police,
B-1, North Beach Police Station,
Crime No.42 / 2014.

2.HasanShah

.. Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records and quash the FIR in Crime No.42 / 2014 on the file of the B-1, North Beach Police Station at Chennai.

Crl.O.P.No.15007 of 2019

NabiShah

.. Petitioner

Vs.

1.The State of Tamil Nadu,
Rep by the Inspector of Police,
D-4, Zam Bazaar Police Station,
Crime No.1515 / 2012.

2.HasanShah

.. Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records and quash the FIR in Crime No.1515 / 2012 on the file of the D-4, Zam Bazaar Police Station at Chennai.

Crl.O.P.No.15009 of 2019

1.NabiShah

2.Aamir Shah

.. Petitioners

Vs.

1.The State of Tamil Nadu,
Rep by the Inspector of Police,
R-4, SoundaraPandianar Angadi Police Station,
Chennai
Crime No.1132 / 2012.

2.HasanShah

.. Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records and quash the proceedings against the Petitioners on the file of the R-4 SoundaraPandianar Angadi Police Station at Chennai in Crime No.1132 / 2012.

Crl.O.P.No.15012 of 2019

1.NabiShah

2.Aamir Shah

3.Tahzeeb Fathima

.. Petitioners

Vs.

1.The State of Tamil Nadu,
Rep by the Inspector of Police,
D-4, Zam Bazaar Police Station,
Crime No.825 / 2012.

2.HasanShah

.. Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records and quash the FIR in Crime No.825 / 2012 on the file of the D-4, Zam Bazaar Police Station at Chennai.

(In all the Crl.O.Ps)

For Petitioners : Mr.N.Baskaran

For Respondents : Mr.M.Mohamed Riyaz (for R1)

Additional Public Prosecutor

Mr.S.Haroon (for R2)
for Mr.T.S.Gopalan & Co.

COMMON ORDER

These Criminal Original Petitions have been filed to call for the records and quash the FIR in Crime Nos.42/2014, 1515/2012, 1132/2012 and 825/2012 on the file of the 1st respondent police respectively.

2. These cases are still at 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 dated 09.05.2019 has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. In order to identify the respective parties they have also produce 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime Nos.42/2014, 1515/2012, 1132/2012 and 825/2012 on the file of the 1st respondent police respectively.

5. These Criminal Original Petitions stand allowed and as a sequel, the proceedings in Crime Nos.42/2014, 1515/2012, 1132/2012 and 825/2012 on the file of the 1st respondent police respectively, are quashed and the terms of Memorandum of Understanding shall form part and parcel of this order. The petitioners shall pay a sum of Rs.1,500/- (Rupees One Thousand and Five Hundred only) each as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), 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 Undertaking dated 09.05.2019

Sd/-
Assistant Registrar(Insp.cell)

//True copy//

Sub Assistant Registrar

vs

To

1.The Inspector of Police,
B-1, North Beach Police Station,
Chennai.

2.The Inspector of Police,
D-4, Zam Bazaar Police Station,
Chennai.

3.The Inspector of Police,
R-4, SoundaraPandianar Angadi Police Station,
Chennai.

4.The Public Prosecutor,
Madras High Court.

5. The Section Officer,
Accounts Section, High Court Madras.

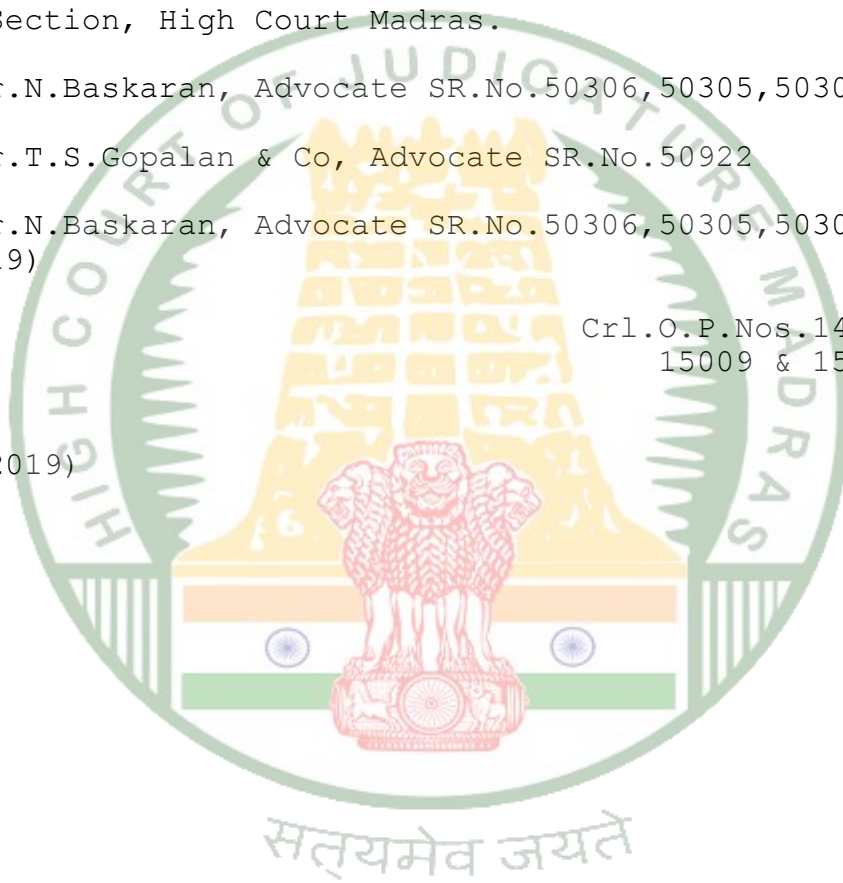
+4cc to Mr.N.Baskaran, Advocate SR.No.50306,50305,50308,50307

+1cc to Mr.T.S.Gopalan & Co, Advocate SR.No.50922

+8cc to Mr.N.Baskaran, Advocate SR.No.50306,50305,50308,50307
(22/08/2019)

Cr1.O.P.Nos.14313, 15007,
15009 & 15012 of 2019

LN (CO)
GMY22/07/2019)



WEB COPY