

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.15113 of 2019

&

CrI.M.P.No.7373 of 2019

1. Nagoor Gani
2. Hussain
3. Mohammed Sahul ..Petitioners/Accused

Vs.

1. The State Rep. by
Inspector o f Police,
RK Nagar Police Station,
Chennai District
(Crime No.137 of 2018) ..1st Respondent/Complainant
2. Mrs.Gandhi Mathi ..2ndRespondent/Defacto Complainant

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.137 of 2018, pending on the file of the 1st respondent.

For Petitioner : Mr. S.Sugendran

For 1st Respondent : Mr. M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.137 of 2018, pending on the file of the 1st respondent.

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 12.06.2019 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present in

person before this Court and they were identified by Mr.S.Murugan, Special Sub Inspector of Police, H-6, R.K. Nagar Police Station. 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.137 of 2018, pending on the file of the 1st respondent.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.137 of 2018, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.750/- (Rupees seven hundred and fifty only) 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. Consequently, the connected Miscellaneous Petition is also closed.

*** Copy of the Affidavit of Gandhi Mathi**

Sd/-
Assistant Registrar

//True copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

- 1.The Inspector of Police,
RK Nagar Police Station,
Chennai District.
2. The Sub Assistant Registrar
Accounts Section,
High Court, Madras-104.

3.The Public Prosecutor,
High Court,
Madras.

+lcc to Mr.S.Sugendran, Advocate SR.No.48347

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NRJK (CO)
GMY (02/07/2019)



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