

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 01.07.2019
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl.O.P No.16483 of 2019
and
Crl.M.P.No.8276 of 2019

K.Subash

... Petitioner/Accused

vs.

1.The Inspector of Police,
Sankar Nagar Police Station,
St. Thomas Mount,
Chennai. 1st Respondent/Complainant

2. Sunil Kumar
... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to Crime No.197 of 2019 pending on the file of the 1st respondent and quash the same by allowing the present Criminal Original Petition.

For Petitioner : M/s.R.Jayaprakash

For Respondents: Mr.C.Raghavan
Government Advocate

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.197 of 2019, pending on the file of the 1st respondent.

2. The case is 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. The Affidavit dated 01.07.2019 has been filed by the petitioner and the second respondent/de-facto complainant separately before this Court. The petitioner and the second respondent were also present in person before this Court and they were identified by the Investigating Officer. In order to identify the respective parties they have also produced the copies of the Aadhaar Card are made part of the record. In the affidavit, it has been stated that the petitioner and the second

respondent had entered into a compromise and amicably settled their issues in Crime No.197 of 2019. 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.197 of 2019.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.197 of 2019, is hereby quashed and the terms of Memo of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.2,500/- (Rupees Two Thousand Five hundred 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 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 closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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1.The Inspector of Police,
Sankar Nagar Police Station,
St. Thomas Mount,
Chennai.

2. The Public Prosecutor
High Court of Madras.

+1cc to M/s.R.Jayaprakash, Advocate sr.55052

Cr1.O.P No.16483 of 2019
and
Cr1.M.P No.8276 of 2019

ca(co)
nr 19/08/2019