

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.17386 of 2019
and
CrI.M.P.Nos.8757 & 8758 of 2019

Sakthi Srinivasan .. Petitioner

Vs.

1.State rep. by Inspector of Police,
All Women Police Station,
W8, Thirumangalam, Chennai.

2.S.Premakumari (Deceased) .. Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for records pertain to C.C.No.2849 of 2015 on the file of X Metropolitan Magistrate, Egmore and quash the same.

For Petitioner : Mr.T.K.S.Gandhi

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

ORDER

This Criminal Original Petition has been filed to call for records pertain to C.C.No.2849 of 2015 on the file of X Metropolitan Magistrate, Egmore and quash the same.

2. This 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 2nd respondent who is the wife of the petitioner has died and the 2nd respondent's father was present before this Court. He submitted that the proceedings can be quashed since there is a settlement between the parties and he is not interested in further prosecuting the case. An affidavit dated 07.06.2019 has also been filed before this Court by the father of the deceased 2nd respondent to that effect and the same is taken on file. 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 No.34 of 2014 on the file of the 1st respondent police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.34 of 2014 on the file of the 1st respondent police, is quashed and the affidavit of the father of the deceased 2nd respondent shall form part and parcel of this order. 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, connected miscellaneous petitions are closed.

(*) Compromise Affidavit of A.Rajappa/father of the deceased 2nd Respondent herewith annexed separate sheet.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
All Women Police Station,
W8, Thirumangalam, Chennai.

2.The Public Prosecutor, Madras High Court.

Copy to : The Sub Assistant Registrar, Accounts Section,
High Court, Madras.

+1 cc to M/s.T.K.S.Gandhi, Advocate Sr.No. 55832

AKM/17.09.19/2P-5C /

Cr1.O.P.No.17386 of 2019
and Cr1.M.P.Nos.8757 & 8758 of 2019