

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.17385 of 2019

M.Srinivasan

.. Petitioner/Accused 1

Vs.

1.State by The Inspector of Police,
S-10 Pallikaranai Police Station,
Medavakkam,
Chennai.

(Crime No.747/2016)

..1st Respondent/Complainant

2.P.Periyasamy

.. Respondents/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records and to quash the F.I.R. in Cr.No.747 of 2016 which is pending on the file of the 1st Respondent on the Ground of Compromise.

For Petitioner : Mr.M.Hari

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

ORDER

These Criminal Original Petitions have been filed to call for the records and to quash the F.I.R. in Cr.No.747 of 2016 which is pending on the file of the 1st Respondent on the Ground of Compromise.

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.An affidavit of the 2nd respondent/defacto complainant dated 27.06.2019 has been filed before this Court which has been signed by the 2nd respondent and also by his 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 No.747 of 2016 on the file of the 1st respondent police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.747 of 2016 on the file of the 1st respondent police, is quashed and the affidavit of the 2nd respondent/defacto complainant shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1,500/- (Rupees One Thousand and 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 a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

vs
To

1.The Inspector of Police,
S-10 Pallikaranai Police Station,
Medavakkam,
Chennai.

2.The Public Prosecutor,
Madras High Court.

Copy to
The Section officer
Accounts Section,
High Court, Madras 104.

Cr1.O.P.No.17385 of 2019

SJ(CO)
SP(26/07/2019)