

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.17746 of 2019

1. M.Kannyappan
2. S.Raja Azhagappan
3. M.Krishnan
4. K.Murugan

Petitioners

vs.

1. State rep by
Sub Inspector of Police,
E-5, Arakandanallur Police Station,
Villupuram District-605 757.
(Crime No.396 of 2017)

2. M.Gnanavel

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime (FIR) No.396 of 2017 on the file of the 1st respondent police, quash the same.

For Petitioner : Mr.K.Balu

For Respondents: Mr.C.Raghavan

Government Advocate for R1

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.396 of 2017, pending on the file of the 1st respondent.

2. The case is still at the stage of Trial. 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 2nd respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present in person before this Court. 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 petitioners and the second respondent had entered into a compromise and

amicably settled their issues in Crime No.396 of 2017. 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.396 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.396 of 2017, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, the connected Miscellaneous Petition is also closed. The petitioner shall pay a sum of Rs.500/- (Rupees 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. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1. Sub Inspector of Police,
E-5, Arakandanallur Police Station,
Villupuram District-605 757.

2. The Public Prosecutor, Puducherry.

Copy to :

The Section Officer,
Accounts Section, High Court, Madras

+3ccs to Mr. Narayanan, Advocate SR.No. 57400

Cr1.O.P No.17746 of 2019

A.SK(22/07/2019)