

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.18178 of 2019

1. D.Prabakaran
2. Vijayabharath
3. Deva @ Devendhiran
4. Pandian
5. Suvek

...Petitioners/Accused

Vs.

1. The State rep. by
The Inspector of Police,
Latheri Police Station,
Vellore - 632 202.1st Respondent/Complainant
2. Venkatesan2nd Respondents/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.378 of 2018 on the file of the respondent and to quash the charges against the petitioners herein.

For Petitioners : Mr.K.Bommuraj

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

ORDER

The Criminal Original Petition has been filed to call for the records in Crime No.378 of 2018 on the file of the respondent police and quash the same in terms of the compromise by allowing this Criminal Original petition.

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. A joint memo of Compromise, dated 24.07.2019, has been filed before this Court which have been signed by the petitioners and the 2nd respondent and also by their respective

counsel. The petitioners and the 2nd 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 petitioner and the second respondent had entered into a compromise and amicably settled their issues in Crime No.378 of 2018. 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.378 of 2018 on the file of the respondent police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.378 of 2018 on the file of the respondent police, is hereby quashed and the terms of Memo of Compromise shall form part and parcel of this order. Each of the petitioners 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.

Xerox Copy of Memorandum of Compromise attached.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Inspector of Police,
Latheri Police Station,
Vellore - 632 202.
2. The Public Prosecutor,
High Court, Madras.

WEB COPY

Copy TO

The Section Officer,
Accounts Section,
High Court, Madras 104.

+1cc to Mr.K.Bommuraj, Advocate, S.R.No. 63521

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SV(CO)
GN(16/08/2019)



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