

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.18655 of 2019

1.M.Sivasuresh
2.Jeeva Raj

...Petitioners

Vs.

1. State by the
Inspector of Police,
Mettupalayam Police Station,
Coimbatore District
(Crime No.177 of 2019)
2. Silambarasan

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to Crime No.177 of 2019 on the file of the Inspector of Police, Mettupalayam Police Station, Coimbatore District and quash the same.

For Petitioner : Mr.P.Kalimuthu

For 1st Respondent: Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed seeking to call for the records of Crime No.177 of 2019 on the file of the Inspector of Police, Mettupalayam Police Station, Coimbatore District 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. An affidavit dated 17.07.2019, has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. 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 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 proceedings 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 proceedings in Crime No.177 of 2019 pending on the file of the Inspector of Police, Mettupalayam Police Station, Coimbatore District.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in in Crime No.177 of 2019 pending on the file of the Inspector of Police, Mettupalayam Police Station, Coimbatore District, is hereby quashed and the terms of Memo of Compromise shall form part and parcel of this order.

*The Xerox copy of Memo of Compromise
(Affidavit of Jeeva Raj) enclosed

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. Inspector of Police,
Mettupalayam Police Station,
Coimbatore District.

2.The Public Prosecutor,
High Court, Madras.

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srg 25/07/2019