

IN THE HIGH Court OF JUDICATURE AT MADRAS

DATED: 26.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.18547 of 2019

Agilandeswari

.. Petitioner

Vs.

1.State by,
Inspector of Police,
S2, St.Thomas Police Station,
Chennai.
Crime No.161 of 2019.

2.G.Sheela
3.Gengusamy

.. Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in Crime No.161 of 2019 dated 19.06.2019 pending on the file of the 1st respondent and quash the same as illegal.

For Petitioner : Mr.Lakshmi Narayanan
for M/s.A.Gokulakrishnan

For Respondents : Mr.M.Mohamed Riyaz (for R1)
Additional Public Prosecutor
Mr.A.P.Sathyamurthy (for R2 & R3)

ORDER

This Criminal Original Petition has been filed to call for the records in Crime No.161 of 2019 dated 19.06.2019 pending on the file of the 1st respondent and quash the same as illegal.

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 defacto complainant and the victim dated 16.07.2019 has been filed before this Court which has been signed by the them and also by their 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.161 of 2019 on the file of the 1st respondent police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.161 of 2019 on the file of the 1st respondent police, is quashed and the affidavit of the defacto complainant and the victim shall form part and parcel of this order. The petitioner shall pay a sum of Rs.2,500/- (Rupees Two 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.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vs/jas
To

1.The Inspector of Police,
S2, St.Thomas Police Station,
Chennai.

2.The Public Prosecutor,
Madras High Court.

+1cc to Mr.A.Gokulakrishnan, Advocate Sr.64341

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BS (CO)
srg 05/08/2019