



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P No.19076 of 2019

Mohan

Petitioner

vs.

1. the State rep by its
The Inspector of Police,
H-1, Old Washermenpet Police Station,
Chennai - 600 021.

2. Shanthi

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records SC No.139 of 2018 in Crime No.952 of 2017 on the file of IV Additional Sessions Judge, Chennai and quash the same.

For Petitioner : Mr.S.Saranraj

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor for R1

R2

: S.Sudhakar

ORDER

The Criminal Original Petition has been filed to call for the records S.C.No.139 of 2018 in Crime No.952 of 2017 on the file of IV Additional Sessions Judge, Chennai and quash the same.

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 16.07.2019 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioner 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 petitioner and the second respondent had entered into a compromise and amicably settled their issues in SC No.139 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 case 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 case in SC No.139 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in SC No.139 of 2018, on the file of the IV Additional Sessions Judge, Chennai, is quashed and the terms of affidavit shall form part and parcel of this order. 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.

*Enclosed Xerox Copy of the Joint Memo of Compromise

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The IV Additional Sessions Judge, Chennai
2. The Inspector of Police,
H-1, Old Washermenpet Police Station,
Chennai - 600 021.
3. The Public Prosecutor,
High Court, Madras.

Copy to:

The Section Officer,
Account Section,
High Court, Madras

+2cc to S.Sudhakar, Advocate sr.61063

Cr1.O.P No.19076 of 2019

nr(co)
nr 02/08/2019