

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.19143 of 2019

1.Kumaragurubaran
2.R.Kumar

...Petitioners

.Vs.

1.State rep. By its
The Inspector of Police,
K-1, Sembium Police Station (L &O),
Perambur, Chennai-600 001.
(Cr.No.1339 of 2012)

2.Harinath

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.1251 of 2015, on the file of V Metropolitan Magistrate, Egmore at Alikulam, Chennai and quash the same.

For Petitioners : Mr.A.E.Shanmuga Sundaram

For 1st Respondent : Mr.C.Raghavan, G.A(Crl.side)

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.1251 of 2015, on the file of V Metropolitan Magistrate, Egmore at Alikulam, Chennai.

2. The 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. Memorandum of Compromise dated 16.07.2019 has been filed by the petitioners and the second 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.

Based on the Memorandum of Compromise, it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues. 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 proceedings in C.C.No.1251 of 2015.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.1251 of 2015 before the Court below, is hereby quashed and the terms of affidavit and Memorandum of Compromise shall form part and parcel of this order. Each of 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 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

KP

1. The Inspector of Police,
K-1, Sembium Police Station (L &O),
Perambur, Chennai-600 001.

2. The Public Prosecutor
High Court of Madras.

3. The V Metropolitan Magistrate,
Egmore at Alikulam, Chennai

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

+1cc to Mr.A.E.Shanmuga Sundaram, Advocate SR.No.65179

+1cc to Mr.R.Ganeshkumar, Advocate SR.No.65180

CrI.O.P No.19143 of 2019

PA (CO)
GMY (26/08/2019)



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