

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.19727 of 2019

1.SRM.Muhamed Mugaideen

2.Jabarullah

3.Nayinaar Muhamad

.. Petitioners

Vs.

1.State rep. by Inspector of Police (Crime),
J-13, Taramani Police,
Chennai - 600 113.

2.A.Ramasamy

.. Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records connected with the FIR in Crime No.2301 of 2017 on the file of the 1st Respondent/J13, Taramani Police, Crime, Chennai and quash the same.

For Petitioners : Mr.S.Ramesh

For Respondents : Mr.M.Mohamed Riyaz

Additional Public Prosecutor for R1

ORDER

This Criminal Original Petition has been filed to call for the records connected with the FIR in Crime No.2301 of 2017 on the file of the 1st Respondent/J13, Taramani Police, Crime, Chennai and quash the same.

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.A joint memo of compromise of the 2nd respondent dated 20.06.2019 has been filed before this Court which has been signed by the 2nd respondent and petitioners and also by their respective counsels. 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.2301 of 2017 on the file of the 1st respondent police.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.2301 of 2017 on the file of the 1st respondent police, is quashed and the joint memo of compromise of the 2nd respondent shall form part and parcel of this order. The petitioners shall pay a sum of Rs.1,500/- (Rupees One Thousand and Five Hundred only) each 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.

6.It is reported that while granting bail to the first petitioner, a condition was imposed directing him to deposit a sum of Rs.50,000/-. Similarly while granting anticipatory bail to the 2nd and 3rd petitioners, they were directed to deposit a sum of Rs.50,000/-. Pursuant to the same, a sum of Rs.1,00,000/- is now lying before the XVIIIth Metropolitan Magistrate Court, Saidapet, Chennai in Crime No.2301 of 2017. In view of the compromise between the parties, the first petitioner is directed to file a memo before the Court below and the Court below shall permit the first petitioner to withdraw a sum of Rs.1,00,000/- lying in Crime No.2301 of 2017.

Sd/-

Assistant Registrar(CS III)

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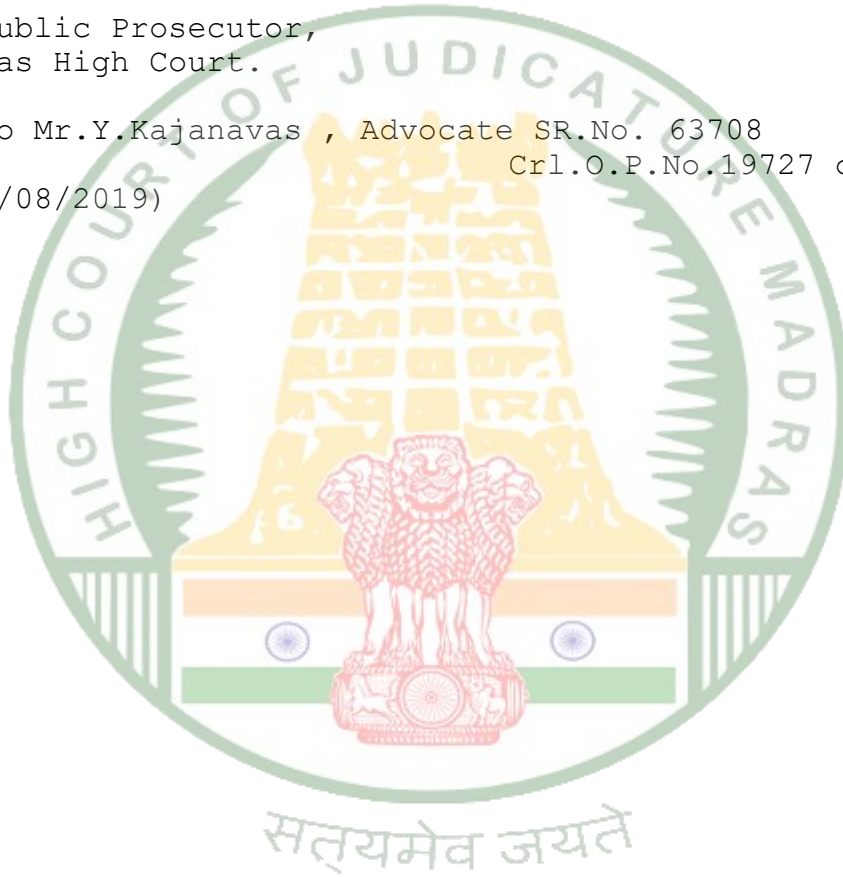
Sub Assistant Registrar

vs

To

- 1.XVIIIth Metropolitan Magistrate Court, Saidapet,
Chennai
2. Do thro the Chief Metropolitan Magistrate, Chennai
- 3.The Inspector of Police (Crime),
J-13, Taramani Police Station,
Chennai - 600 113.
- 4.The Public Prosecutor,
Madras High Court.

+2ccs to Mr.Y.Kajanavas , Advocate SR.No. 63708
CrI.O.P.No.19727 of 2019
A.SK(22/08/2019)



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