

IN THE HIGH Court OF JUDICATURE AT MADRAS

DATED: 16.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.21266 of 2019

1.Abdul Rahman
2.Kabilan
3.Sathish Kumar, S/o.Krishnan
4.Sathish Kumar, S/o.Villikaruppan
5.Tamilselvan
6.Nishant ... Petitioners/Accused 1 to 6

Vs.

1. The State represented by
Inspector of Police
Vadavalli Police Station,
Coimbatore District.
Cr.No.501 of 2013. ... Respondent/Complainant
2. Sargunam ... Respondent/Defacto Complainant

PRAYER :

Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to C.C.No.439 of 2015 on the file of Judicial Magistrate-VI, Coimbatore and quash the same.

For Petitioners : Mr.T.Muruganantham

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to call for the entire records relating to C.C.No.439 of 2015 on the file of Judicial Magistrate-VI, Coimbatore and quash the same.

2. This 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. An affidavit of the 2nd respondent/defacto complainant dated 16.08.2019 has been filed before this Court which has been signed by the 2nd respondent and also by his counsel. 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 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 Gujraht), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.501 of 2013 on the file of the 1st respondent police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.501 of 2013 on the file of the 1st respondent police, is quashed and the affidavit of the 2nd respondent/defacto complainant shall form part and parcel of this order.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police
Vadavalli Police Station,
Coimbatore District.

2. The Public Prosecutor,
Madras High Court.

+1cc to Mr.T.Muruganatham, Advocate, S.R.No.70076

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PVS (CO)
CS/24/09/2019