

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.21747 of 2019

1. Akram Khan
2. Yuns Khan
3. M.Shabeer Ahmed
4. Ziauddin @ Syedziauddin ... Petitioners
vs.

1.The State Rep. by the
Inspector of Police,
G-2, Periamet Police Station,
Chennai.
2. S.Syed Moosa ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to Crime No.188 of 2019 and quash the same pending on the file of the 1st respondent herein.

For Petitioner : Mr.P.Parthiban
For Respondents: Mr.M.Mohammed Riyaz
Additional Public Prosecutor for
R1

ORDER

The Criminal Original Petition has been filed to quash the investigation in Crime No.188 of 2019, pending on the file of the 1st respondent.

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. An affidavit of compromise has been filed by the de-facto complainant before this Court. The petitioners and the second respondent /defacto complainant were also present in person before this Court and they were identified by

Mr.G.Munirathinam, Sub-Inspector, Perimedu Police Station, Perimedu. In order to identify the respective parties, they have also produced the copy of the Aadhaar Card, which is made part of the record. In the Memo, it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Crime No.188 of 2019. 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.203 of 2019.

5. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.188 of 2019, is hereby quashed insofar as all the accused persons are concerned and the terms of Affidavit shall form part and parcel of this order. The petitioners shall pay a sum of Rs.500/- (Rupees five hundred only) each as cost, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), within a period of two weeks 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.

* Xerox copy of affidavit of Mr.S.Syed Moosa enclosed.

Sd/-

Assistant Registrar(DR CJ.Conf)

//True Copy//

Sub Assistant Registrar

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To

1.The State Rep. by the
Inspector of Police,
G-2, Periamet Police Station,
Chennai.

2.The Public Prosecutor
High Court of Madras.

3.The Section Officer,
Accounts Section,
High court, Madras.

PA(CO)
CB(18/09/2019)

Cr1.O.P No.21747 of 2019



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