

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P No.21728 of 2019

1. Mathi @ Mathivanan

2. Guru @ Sathish

... Petitioner/Accused 1 and 3

vs.

1.The State Rep. by the
Inspector of Police,
Karungalpalayam Police station,
Erode - 3

...1st respondent/ Complainant

2. Sasikumar

...2nd respondent / Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of the entire proceedings in Crime No.172 of 2018 on the file of the 1st respondent.

For Petitioner : Mr.K.Thenrajan

For Respondent : Mr.M.Mohammed Riyaz

Additional Public Prosecutor for R1

ORDER

The Criminal Original Petition has been filed to quash the investigation in Crime No.172 of 2018, 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 Second respondent /de-facto complainant before this Court. The petitioners and the second respondent /defacto complainant were also present in person before this Court and In order to identity the respective parties, they have also produced the copy of the Aadhaar Card, which is made part of the record. In the Affidavit, it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Crime No.172 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 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.172 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.172 of 2018, is hereby quashed and the terms of Affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.750/- (Rupees Seven hundred and fifty 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 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.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Karungalpalayam Police station,
Erode - 3

2. The Public Prosecutor
High Court of Madras.

Copy to : The Section Officer, V.R.Section,
High Court of Madras.

+3cc to Mr.K.Then Rajan, Advocate SR.No.69118

AKM/13.09.19/2P-6C /

Cr1.O.P No.21728 of 2019