

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.23601 of 2019

1. Thalapathy
2. Arun

..Petitioners/Accused

.Vs.

1. The State Rep. by
Inspector o f Police,
New Washermenpet Police Station,
Chennai1st respondent/Complainant
2. Ananthan2nd respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records of the entire proceedings in Crime No.634 of 2018, pending on the file of the 1st respondent and quash the same.

For Petitioner : Mr. K.Thenrajan

For 1st Respondent: Mr. M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.634 of 2018, pending on the file of the 1st respondent.

2. The case is still in the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. The Affidavit dated 29.08.2019 has been filed by the 2nd 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 copy of the Aadhaar Card, which has been 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.634 of 2018, pending on the file of the 1st respondent.

5. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.634 of 2018, on the file of the 1st respondent police, is quashed insofar as all the accused persons are concerned and the terms of affidavit shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.750/- (Rupees seven hundred and fifty only) as costs, to the credit of the Madras High Court Advocate Clerks Welfare Association, Chennai, 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.

**Copy of the Affidavit of 2nd Respondent is enclosed*

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
New Washermenpet Police Station,
Chennai

2. The Public Prosecutor,
High Court, Madras. सत्यमेव जयते

Copy to:-

1. The President,
Madras High Court Advocate
Clerks' Welfare Association,
Chennai.

+1cc to Mr.K.Thenrajan, Advocate, SR.No.75114/19

Cr1.O.P.No.23601 of 2019

Kak(10/10/2019)