

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.22101 of 2019

1. K.Dhakshina Moorthy

2. Sathiya Seelan

Petitioners/Accused NO.1 and 2

vs.

1. The Inspector of Police,
Thiruvarur Taluk Police Station,
Thiruvarur District.
(Crime No.62 of 2019)

..R1/Complainant

2. G.Geetha

R2/ Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the FIR/Complaint in respect of Crime No.209 of 2018 on the file of the 1st respondent.

For Petitioner : Ms.S.Santha Kumari

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

Mr. A.Senthamizh Arasu for R2

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.209 of 2018, 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. The Affidavit dated 16.08.2019 has been filed by the 2nd respondent/de-facto complainant and a joint memo of

Compromise, dated 16.08.2019, has been filed before this Court which have been signed by the petitioners and the 2nd respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.M.Ubayathulla (PC754), Taluk Police Station, Thiruvarur. In order to identify the respective parties they have also produced the copies of the Aadhaar Card are made part of the record. In the affidavit and joint memo of Compromise it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Crime No.209 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.209 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.209 of 2018, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order.

*Herein Enclosed the Xerox Copies of Memo of Compromise

Sd/-

Deputy Registrar(CJ CONF)

//True Copy//

Sub Assistant Registrar

ssr
To

1. The Inspector of Police,
Thiruvarur Taluk Police Station,
Thiruvarur District.

2. The Public Prosecutor, High Court, Madras - 104.
+5ccs to Ms.S.Santha Kumari , Advocate SR.No. 70653

CrI.O.P No.22101 of 2019

A.SK(15/10/2019)