

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.08.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.23048 of 2019

K.Vijaya Kumari

...Petitioner/Accused

Vs.

1. State rep. by
The Inspector of Police,
C-2, Elephant Gate Police Station,
Chennai - 600 079.1st Respondent/Complainant

2. Rajeshkumar2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in FIR No.828 of 2018 on the file of the 1st respondent/ C-2, Elephant Gate Police Station and quash the same.

For Petitioners : Mr.J.T.Rajasurya

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

ORDER

The Criminal Original Petition has been filed to call for the records in FIR No.828 of 2018 on the file of the 1st respondent/ C-2, Elephant Gate Police Station and quash the same.

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. A joint memo of Compromise has been filed before this Court which have been signed by the petitioner and the 2nd respondent and also by their respective counsel. The petitioner and the 2nd respondent were also present in person before this Court. 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 FIR 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 FIR in FIR No.828 of 2018 on the file of the 1st respondent/ C-2, Elephant Gate Police Station, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in FIR No.828 of 2018 on the file of the 1st respondent/ C-2, Elephant Gate Police Station, is hereby quashed and the terms of Memo of Compromise shall form part and parcel of this order.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Inspector of Police,
C-2, Elephant Gate Police Station,
Chennai - 600 079.
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.J.T.Rajasurya, Advocate SR.73131

CRL.OP.No.23048 of 2019

PVS(CO)
CB(18/10/2019)

सत्यमेव जयते

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