

IN THE HIGH Court OF JUDICATURE AT MADRAS

DATED: 21.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.No.1184 of 2017
and
Crl.M.P.Nos.852 and 853 of 2019

1.S.M.Miskin

2.Feroze Sha

.. Petitioners

Vs.

1.The Inspector of Police,
Thiruvarur Town Police Station,
Thiruvarur District,
Crime No.63 of 2016.

2.Serajunnisha

R2 is impleaded vide Court order
dated 20.08.2019 in Crl.M.P.No.11564 of 2019

.. Respondents

PRAYER : Criminal Original Petition is filed under
Section 482 of Cr.P.C. to call for the records relating
to the case in STC 1071 of 2016, quash the same by
allowing the criminal original petition.

For Petitioners : Mr.A.Damodaran
For R1 : Mr.C.Raghavan
Government Advocate (Crl.Side)

ORDER

These Criminal Original Petition has been filed to
call for the records relating to the case in
S.T.C.No.1071 of 2016, quash the same.

2.This 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 the 2nd respondent/defacto complainant dated 21.08.2019 has been filed before this Court which has been signed by the 2nd respondent and also by his counsel. In order to identify the respective parties they have also produced a copy of their Aadhaar Cards which is 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in S.T.C.No.1071 of 2016 on the file of the learned Judicial Magistrate, Thiruvarur.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in n S.T.C.No.1071 of 2016 on the file of the learned Judicial Magistrate, Thiruvarur, is quashed and the affidavit of the 2nd respondent/defacto complainant shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

*Herein enclosed the affidavit of the 2nd Respondent Xerox Copy

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

pnn
To

1.The Judicial Magistrate, Thiruvarur.

2.The Inspector of Police,
Thiruvarur Town Police Station, Thiruvarur District,

3.The Public Prosecutor, Madras High Court.
+lcc to Mr.A.Damodaran , Advocate SR.No. 72567

CrI.O.P.No.1184 of 2017 and
CrI.M.P.Nos.852 and 853 of 2019

A.SK(21/10/2019)