

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.11855 of 2019
and
Crl.M.P No.7774 of 2017

Arun @ Arunprasad

...Petitioner

Vs.

1. State by the
Inspector of Police,
B3, Kanchi Taluk Police Station,
Kanchipuram.

2. D.Ramalingam ...Respondents/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to Crime No.141 of 2014 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.R.Ezhilarasan

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

For 2nd Respondent : Mr.D.Ramalingam
Party in person

ORDER

The Criminal Original Petition has been filed seeking to call for the records relating to Crime No.141 of 2014 on the file of the 1st respondent and quash the same in terms of the compromise by allowing this Criminal Original petition.

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 dated 17.07.2019, has been filed before this Court which have been signed by the petitioner/2nd accused and the second respondent and also by their respective counsel. 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 case 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 Case in Crime No.141 of 2014 pending on the file of the first respondent insofar as the petitioner/2nd accused is concerned.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.141 of 2017 pending on the file of the first respondent is hereby quashed insofar as the petitioner/2nd accused is concerned and the terms of Memo of Compromise shall form part and parcel of this order. The investigation shall go on as against A1. Consequently, the connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

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To

1. The Inspector of Police,
B3, Kanchi Taluk Police Station,
Kanchipuram.

2.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.R.Ezhilarasan, Advocate sr 60897.

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VGII (CO)
SP(06/08/2019)