

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:14.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.24422 of 2017

and

CrI.M.P.Nos.14126, 14127 & 17561 of 2016

1.V.Vinod

2.P.V.Venkatarathinam

3.Jayanthi

...Petitioners

Vs.

V.R.Rajalakshmi

...Respondent

PRAYER:Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire records and quash the proceedings against the petitioners in D.V.C.No.8 of 2017 pending on the file of the Hon'ble XV Metropolitan Magistrate, George Town, Chennai.

For Petitioner : Mr.R.Abdul Mubeen

For Respondent : Mr.John Sathyan

ORDER

This Criminal Original Petition has been filed by the petitioners to call for the entire records and quash the proceedings against the petitioners in D.V.C.No.8 of 2017 pending on the file of the Hon'ble XV Metropolitan Magistrate, George Town, Chennai.

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 petitioners and the respondent and also by their respective counsel. All the parties are present and identified by their respective counsel and the Police. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card are made part of the record. This Court also enquired both the sides 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 DVC No.8 of 2017 pending on the file of learned XV Metropolitan Magistrate, George Town, Chennai.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in DVC No.8 of 2017 pending on the file of learned XV Metropolitan Magistrate, George Town, Chennai is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this Order. The petitioner shall pay a sum of Rs.5,000/-, as costs, to the Sevalaya, No.54, P.S.Sivaswamy Road, (North), Mylapore, Chennai-600 004, Tamil Nadu, India, Ph.+91-44-24982204 / 9884503039 / 9444620289, 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. Consequently, connected miscellaneous petitions are closed.

s/d-
Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

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To

1. The XV Metropolitan Magistrate
George Town, Chennai

2. The Public Prosecutor,
High Court of Madras.

+1 CC to Mr.R.John Sathyan, Advocate sr 24464.

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PPA (CO)
SP(09/04/2019)