

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:08.04.2019
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.24630 of 2017
and
Crl.M.P.Nos.14247 & 14248 of 2017

1.Gouse Basha
2.Fazeelathunnisha
3.G.Mohamed Musthafa Khan

...Petitioners

Vs.

1.The State Rep. by
Inspector of Police
All Women Police Station
Ammamet, Salem
(Crime No.9/2015)

2.B.Jasmin

...Respondents

PRAYER:Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records and to quash the final report in C.C.No.89 of 2017 pending before Additional Mahila Court, Salem.

For Petitioners: Mr.A.Mohamed Ismail

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

: Mr.L.S.M. Hasan Faizal for R2

ORDER

This Criminal Original Petition has been filed by the petitioners to call for the records and to quash the final report in C.C.No.89 of 2017 pending before Additional Mahila Court, Salem.

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 2nd respondent and also by their respective counsel dated

07.03.2019. 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the final report in C.C.No.89 of 2017 pending before the Additional Mahila Court, Salem.

5. Accordingly, This Criminal Original Petition stands allowed and as a sequel, the final report in C.C.No.89 of 2017 pending on the file of the Additional Mahila Court, Salem, is quashed and the terms of the Joint Compromise Memo shall form part and parcel of this Order. The petitioners shall jointly pay a sum of Rs.5,000/-, as costs, to the Anbalayam Student Orphan Home, Kilaku Vasal, Jagir Reddipatty, Salem-636302, Near Salem Milk Diary, Phone : 9994568269 & 9994568268, 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.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Additional Mahila Court
Salem

2. The Inspector of Police
All Women Police Station
Ammamet, Salem
(Crime No.9/2015)

3.The Public Prosecutor,
High Court of Madras.

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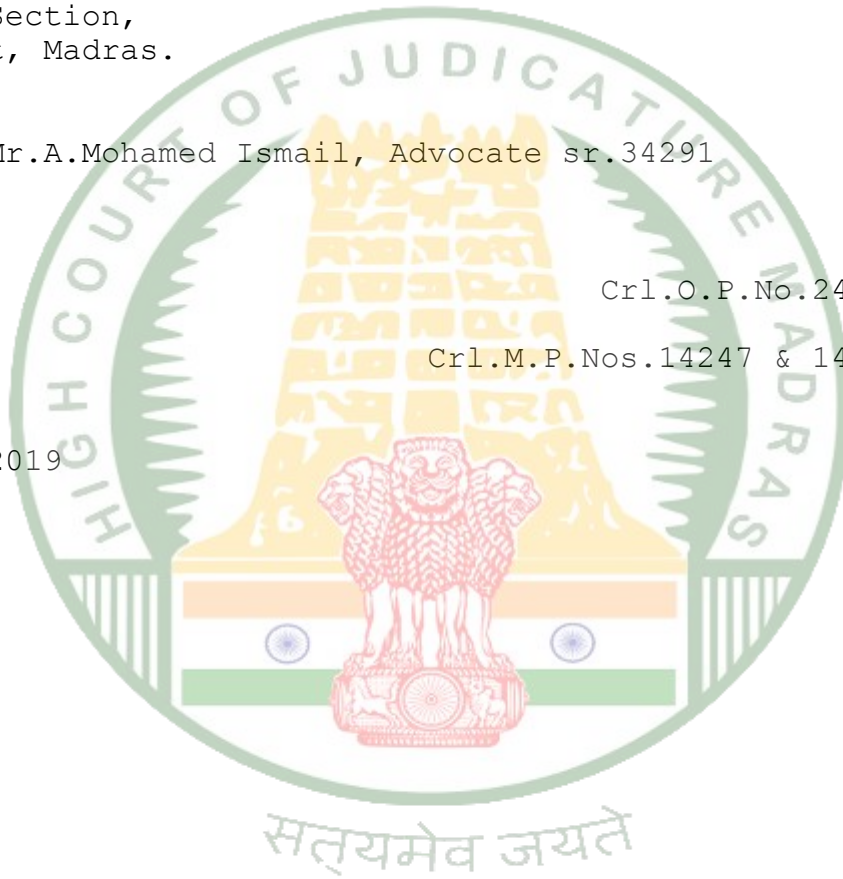
1.The Anbalayam Student Orphan Home,
Kilaku Vasal,
Jagir Reddipatty, Salem-636302

2. The Section Officer,
Criminal Section,
High Court, Madras.

+2cc to Mr.A.Mohamed Ismail, Advocate sr.34291

Crl.O.P.No.24630 of 2017
and
Crl.M.P.Nos.14247 & 14248 of 2017

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nr 24/07/2019



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