

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 10.01.2019

CORAM
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.27830 of 2018
and
Crl.M.P.No.16135 of 2018

P.Palaniswamy

... Petitioner

Vs.

1. The Inspector of Police,
District Crime Branch,
Namakkal.

2. P.Tamilarasi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C to call for the records pertaining to FIR No.5 of 2018 on the file of the 1st respondent dated 21.07.2018 and quash the same so far as the petitioner is concerned.

For Petitioner : Mr.M.S.Palaniswamy

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

For R2 : Mr.S.Ashok kumar and
Mr.C.Prabakaran

ORDER

This Criminal Original Petition has been filed to quash the proceedings pertaining to the First Information Report No.5 of 2018, on the file of the Inspector of Police, District Crime Branch, Namakkal/First Respondent, for alleged offences under Sections 120-B, 420 and 506(1) IPC.

2. The 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. A Memo has been filed before this Court which have been signed by the second respondent and also by her respective counsel. In order to identify the respective parties they have also produce the copy of the Aadhaar Card 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 Crime No.5 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in FIR No.5 of 2018, on the file of the Inspector of Police, District Crime Branch, Namakkal, is quashed and the same is quashed only insofar as this petitioner is concerned and it is left open to the respondent police to proceed further with the investigation insofar as the other accused persons are concerned. The terms of Memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1000/- (Rupees One Thousand only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), 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, the connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

msrm/maya

To

1.The Inspector of Police,
District Crime Branch,Namakkal.

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

3.The Additional Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Ashok kumar, Advocate, S.R.No.3044

+1cc to Mr.M.S.Palaniswamy, Advocate, S.R.No.3393

CrI.O.P.No.27830 of 2018
and

CrI.M.P.No.16135 of 2018

rrs 04/02/2019