

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.29552 of 2018

Varadarajan : Petitioner / Accused
Vs.

1.The State,
Represented by its Inspector of Police,
St. Thomas Mount A.W.Police Station,
St. Thomas Mount,
Chennai.
(Crime No.3 of 2017) : 1st Respondent / Complainant

2.Rajeshwari : 2nd Respondent / De facto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records of the proceedings in FIR 3 of 2017, dated 15.11.2017, on the file of the first respondent police, and to quash the same as illegal and without jurisdiction.

For Petitioner: Mr.V.Raghavachari

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

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.3 of 2017, on the file of the first respondent.

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 petitioner and the second respondent and also by their respective counsel. The parties were also present before the Court and they have also produced the copies of the Aadhaar Card which are 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 Crime No.3 of 2017 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 investigation in Crime No.3 of 2017, on the file of the first respondent.

5. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.3 of 2017 on the file of the first respondent is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.2500/- as cost, to the credit of the Chief Justice Relief Fund, High Court, Madras, 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.

Xerox Copy of the Memo of Compromise enclosed

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

vsg1/ia

To

1.The Inspector of Police,
St. Thomas Mount A.W.Police Station,
St. Thomas Mount,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

3. The Sub Assistant Registrar,
Accounts Section,
High Court, Madras.

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

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GMV (31/01/2019)



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