

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 10.01.2019

CORAM
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.29442 of 2018
and
Crl.M.P.Nos.17274 & 17275 of 2018

1.B.Gopalakrishnan @ Gopal
2.V.Dilli

... Petitioners

Vs.

1.State represented by
The Inspector of Police,
J-13, Taramani Police Station,
Chennai - 600 042.
(Cr.No.1086 of 2014)

2.J.Karthikeyan

....Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C to call for the records relating to C.C.No.7702 of 2018 before the X Metropolitan Magistrate, Egmore, Chennai and quash the same.

For Petitioners: Mr.T.Gowthaman

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

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.7702 of 2018, on the file of the X Metropolitan Magistrate, Egmore, Chennai for an alleged offences under Sections 294 (B), 324 and 506 (ii) 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 Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the second respondent and also by their 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in C.C.No.7702 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.7702 of 2018, on the file of the X Metropolitan Magistrate, Egmore, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioners 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 Petitions are also closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

msrm/maya

To

1.The Inspector of Police,
J-13, Taramani Police Station,
Chennai - 600 042.
Cr.No.1086 of 2014)

2.The X Metropolitan Magistrate,
Egmore, Chennai.

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

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

+1cc to Mr.T.Gowthaman, Advocate, S.R.No.2893

Cr1.OP.No.29442 of 2018
and

Cr1.MP.Nos.17274 & 17275 of 2018

rrs 04/02/2019