

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.01.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P..No.30193 of 2018 &
Crl.M.P.No.17587 of 2018

Subbaiya

.. Petitioner

vs.

1.The State rep. by Inspector of Police,
Mangalam Police Station,
Tiruppur, Tiruppur District
(In Crime No.201/2018)

2.Mrs.Rajeswari

.. Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the entire records pertaining to the FIR in Crime No.201 of 2018 on the file of the 1st respondent police and quash the said FIR.

For Petitioner : Mr.J.Franklin

For R1 : Mrs.M.Mohamed Riyaz
Addl. Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.201 of 2018 on the file of the 1st respondent, for an alleged offences under Sections 408, 477A, 471, 468 and 506(i) of 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.An affidavit has been filed by the second respondent dated 07th December, 2018, before this Court, which has been signed by the second respondent/defacto complainant and her counsel. 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 Crime No.291 of 2016.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.201 of 2018, on the file of the respondent police, is quashed and the terms of affidavit, dated 07.12.2018, filed by the second respondent/defacto complainant, shall form part and parcel of this order. The petitioner shall pay a sum of Rs.2500/- (Rupees Two Thousand Two Hundred 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, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Mangalam Police Station,
Tiruppur, Tiruppur District

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

3.The Public Prosecutor,
High Court,
Madras.

+1cc to Mr.J.Franklin, Advocate, S.R.No.3753

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GSP(05/02/2019)