

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 22.07.2020
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P. No.277 of 2020
and
Crl. M.P. Nos. 162 and 163 of 2020

Gopal @ Gopalakrishnan,
S/o. Subramani,
No.235, 4th Street,
Nehru Nagar,
Anna Nagar West,
Chennai - 600 040.

...Petitioner

Vs.

1. Inspector of Police,
V5-Thirumangalam Police Station,
Chennai - 600 101.

2. Lakshmi,
W/o. Sivakumar,
Door No.6, Main Road,
Nehru Nagar,
Anna Nagar West,
Chennai - 600 040.

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating in C.C.No.3974 of 2009 on the file of Learned X Metropolitan Magistrate, Egmore, Chennai and quash the same.

For Petitioner : Ms. R.Divya

For Respondents

For R1 : Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to call for the records relating in C.C.No.3974 of 2009 on the file of Learned X Metropolitan Magistrate, Egmore, Chennai and quash the same.

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 second respondent and also by their respective counsel. 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 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.1 of 2020.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.665 of 2009, on the file of the first respondent is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this Order. The petitioner shall pay a sum of Rs.10,000/-, as costs, to the credit of Chief Justice Relief Fund, High Court of 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. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

bkn

To

1.The Xth Metropolitan Magistrate
Egmore Chennai

2.The Inspector of Police,
V5-Thirumangalam Police Station,
Chennai - 600 101.

3.The Sub Assistant Registrar
Account Section
High Court Madras

4.The Public Prosecutor,
High Court,
Madras.

Cr1.O.P.No.277 of 2020

ajs(co)
aa20/10/2020