

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.1646 of 2019
and MP.No.1040 of 2019

1.T.K.Prasanna Venkatesh
2.P.Chitra

...Petitioners

Vs.

1.The State Rep by its
The Inspector of Police,
District Crime Branch,
Nagapattinam,
Nagapattinam District.

2.S.Ramachandran

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire records in C.C.No.24 of 2018 on the file of Judicial Magistrate No.I, Nagapattinam and quash the same as against the petitioner.

For Petitioners: Mr.K.Mohanamurali

For Respondents

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

For R2 : Mr.A.Elayaraja

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No. 24 of 2018 on the file of the Judicial Magistrate No.I, Nagapattinam.

2. Based on the complaint lodged by the second respondent, the first respondent has registered FIR in Cr.No.12 of 2014 against the petitioners herein and after investigation filed charge sheet under Sections 420 IPC and 66A, (b) & (c) IT Act, 2000.

3. 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. The Second respondent / Defacto complainant has filed an affidavit before this Court which has been signed by the petitioner 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. and quashes the case in C.C.No. 24 of 2018 on the file of the Judicial Magistrate No.I, Nagapattinam, against the petitioner.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings C.C.No. 24 of 2018 on the file of the Judicial Magistrate No.I, Nagapattinam, is quashed and the affidavit shall form part and parcel of this Order. The petitioner shall pay a sum of Rs.10,000/-, as costs, to the Tamil Nadu State Legal Services Authority, 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. Consequently, connected Miscellaneous Petition is closed.

*Xerox copy of the Affidavit Enclosed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

drl

To

1.The Judicial Magistrate No.I,
Nagapattinam.

2.The Inspector of Police,
District Crime Branch,
Nagapattinam,
Nagapattinam District. .

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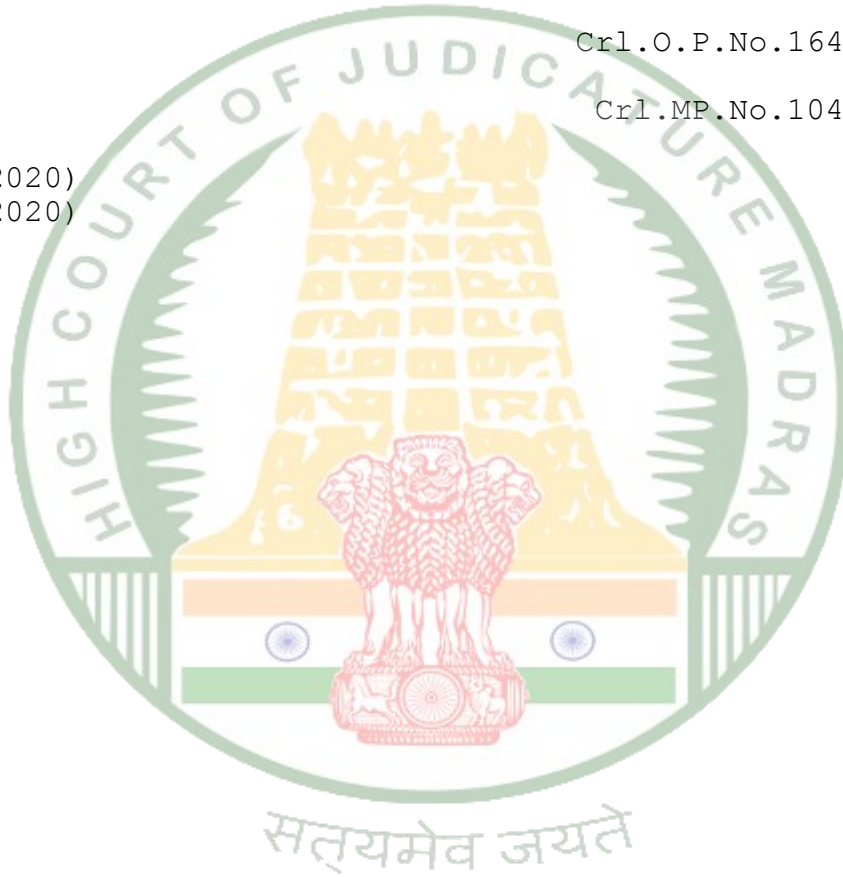
3.The Secretary,
TN.State Legal Services Authority,
High Court, Madras.

4.The Public Prosecutor,
High Court, Madras.

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

CrI.O.P.No.1646 of 2019
and
CrI.MP.No.1040 of 2019

RGN(CO)
CB(10/07/2020)
CB(05/10/2020)



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