

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.OP.No.2224 of 2020

R.Deepan Raj @ Naresh ...Petitioner/Accused

Vs.

1. State Rep by
The Inspector of Police
K-10 Koyambedu Police Station,
Koyambedu, Chennai. ...1st Respondent/ Complainant

2.Manjula ...2nd Respondent/ Defecto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.5 of 2020 on the file of K-10 Koyambedu Police Station, Chennai District and quash the same.

For Petitioner : Mr.G.Kaviyarasu

For Respondents : Mr.M.Mohamed Riyaz for R1
Additional Public Prosecutor
: Mr.M.Antony Jesurajan for R2

सत्यमेव जयते

ORDER

This Criminal Original Petition has been filed to call for records in Crime No.5 of 2020 on the file of the first respondent police and quash the same.

2. Based on the complaint lodged by the second respondent, the first respondent has registered FIR in Cr.No.5 of 2020 against the petitioner herein under Sections 406, 420 and 506 (ii) IPC.

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.

4. A joint affidavit of compromise dated 04.01.2020 has been filed by the Petitioner/ and the 2nd respondent before this Court. The petitioner and the second respondent also present in person before this Court and they are identified by the first respondent. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and the same are made part of the record. In the compromise memo, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues. This Court also enquired both the parties and satisfied that the parties have come to an amicable settlement between themselves.

5. Under such circumstances, no useful purpose will be served in keeping the case pending against the petitioner. Even though, the offence involved is 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 is inclined to exercise its jurisdiction under Section 482 Cr.P.C. and quashes the FIR.

6. In the result, this Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

drl

To

1. The Inspector of Police
K-10 Koyambedu Police Station,
Koyambedu, Chennai.
2. The Public Prosecutor,
High Court, Madras.

+2ccs to M/s.G.Kaviyarasu, Advocate, S.R.No.8838

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RSI (CO)
KKV/10/06/2020