

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.OP.No.3332 of 2020

1.Mohideen Inzamam

2.Ajmal Deen

...Petitioners/Accused 1 & 2

Vs.

1.State Rep by

The Inspector of Police

D-2, AnnaSalai Police Station (Crime),

Annasalai, Chennai - 600 002.

Cr.No.535 of 2019

2.Sivanantha Krishnan

...Respondents /Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.535 of 2019 on the file of first respondent Inspector of Police, D-2 Annasalai Police Station, Annasalai, Chennai for the offence under Section 380 of IPC and quash the same.

For Petitioner : Mr.C.Mohan Raj

For Respondents : Mr.M.Mohamed Riyaz for R1  
Additional Public Prosecutor  
:Mr.S.Ramesh for R2

ORDER

This Criminal Original Petition has been filed to call for records in Crime No.535 of 2019 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.535 of 2019 against the petitioners herein and after investigation filed charge sheet under Section 380 of IPC.

3. The case is still in the stage of trial. 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 17.02.2020 has been filed by the Petitioners/ and the 2<sup>nd</sup> respondent before this Court. The petitioners 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 petitioners 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 petitioners. 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 Gujrath), this Court is inclined to exercise its jurisdiction under Section 482 Cr.P.C. and quashes the Case.

6. In the result, this Criminal Original Petition stands allowed. The FIR in Crime No.535 of 2019 on the file of the first respondent is quashed against the petitioners herein.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

drl

To

1.The Inspector of Police  
D-2, AnnaSalai Police Station (Crime),  
Annasalai, Chennai - 600 002.

2.The Public Prosecutor,  
High Court, Madras.

+3cc to Mr.C.Mohan Raj, Advocate, S.R.No. 13198

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srg 21/07/2020