

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. No.9498 of 2020

and

Crl. M.P. Nos. 4294 and 4295 of 2020

1.A.Balasubramaniam,
S/o. Arumugam.

2.B.Vinod Kumar,
S/o. A.Balasubramaniam.

Just Win IT technology India,
JH Tower, 2nd Floor,
Vasantham Hotel Tower,
Salem.

...Petitioners/Accused 1 & 2

Vs.

1.State by,
The Inspector of Police,
Central Crime Branch,
Salem City.
(Crime No.1 of 2020)

... Respondent /Complainant

2.S.Siva,
S/o. Subramani,
No.27, Christ Cottage,
Abirami Garden,
Chinnathirupathy,
Salem - 627 008.

...Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in connection with the FIR in Crime No. 1 of 2020 on the file of the first respondent herein and quash the same.

For Petitioners: Mr. R.Srinivas

For Respondents

For R1 : Mr.S.Karthikeyan
Additional Public Prosecutor

For R2 : Mr.M.Santhanaraman

ORDER

This Criminal Original Petition has been filed to call for the records in connection with the FIR in Crime No. 1 of 2020 on the file of the first respondent herein 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 Gujrath), 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.1 of 2020, 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. Each of the petitioners 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.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

bkn

To

1.The Inspector of Police,
Central Crime Branch,
Salem City.

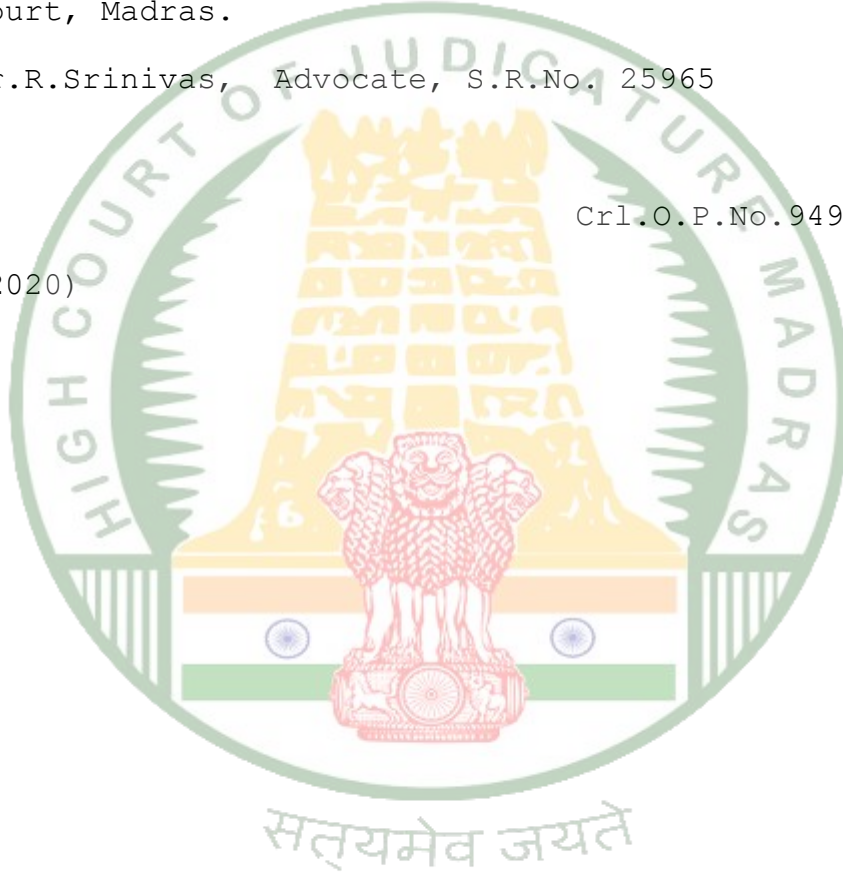
2.The Public Prosecutor,
High Court,
Madras.

3. The Section Officer,
Accounts Section,
High court, Madras.

+1cc to Mr.R.Srinivas, Advocate, S.R.No. 25965

SKS (CO)
GN(26/08/2020)

CrI.O.P.No.9498 of 2020



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