

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.14962 of 2020

1. Mr.Nirmal Kumar M/A 25 Years
S/o Sithan,
No.2W/29,Main veethi,
Podhumbu, Madurai-625018.
 2. Mr. V. Tamil Selvan M/A 22 Years
S/o VijayKumar,
No.855/2, Yadhavar Street,
Sevoor Village, Arni Taluk, Tiruvannamalai District.
 3. Mr.Nagaraj M/A 26 Years
S/o Murugan,
No:25,Dharmarajakovil Street,
Uthangarai, Krishnagiri District. ... Petitioners
- .Vs.
1. State of Tamil Nadu,
The Inspector of Police,
B-2 Esplanade Police Station,
Chennai .
 2. Mr. T.M Hasan Kadhar M/A 23 Years
S/o T.M.Mohammed Yusuf, (late)
No.5/11,Purasuraman Street, Old Washermenpet,
Chennai. ... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for records relating to Crime No: 464 of 2018 on the file of 1st respondent police and quash the same.

For Petitioner : Mr.R.C.Paul Kanagaraaj

For Respondent : Mr.S.Karthikeyan (For R1)
Additional Public Prosecutor.

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in Crime No. 464 of 2018 on the file of the first respondent police.

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. The affidavit has been filed before this Court on 17.09.2020 which have been signed by the second respondent and also by his counsel. All the parties are present and identified by their respective counsel.

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.464 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No. 464 of 2018 on the file of the first respondent police is quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) as costs to the credit of the "Chief Justice Relief Fund" (payable in Accounts Section of the High Court Registry), 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.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
B-2 Esplanade Police Station, Chennai .
2. The Public Prosecutor, High Court, Madras.
3. The Section Officer, Accounts Section,
High Court, Madras-104

Cr1.O.P.No.14962 of 2020

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