

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.15423 of 2020

1. Ajith. M/23,
S/o. Kothandapani Janakiraman,
No.38, Ist street,
Kasipuram 'B' Block,
Kasimedu, Royapuram,
Chennai-600013.
 2. R.Kamesh. M/24,
S/o. Ramu,
No.361, Jeevarathinam Nagar,
'J' Block, Kasimedu,
Royapuram,
Chennai-600013
- ...Petitioners/Accused

Vs.

1. The State represented by,
The Inspector of Police,
E-8 Kelambakkam L & O Police Station
Old Mahabalipuram Road,
Kittu Nagar, Kelambakkam,
Kancheepuram-603 103.

2. S.Vignesh. M/20,
S/o. Suresh,
Vandiputhiyan Koil Street,
Pudupakkam, Thiruporur Taluk,
Kanchipuram District

...Respondents/Defacto
Complainant

WEB COPY

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in FIR No.629 of 2018 pending on the file of E-8 Kelambakkam Police Station, Old Mahabalipuram Road, Kittu Nagar, Kelambakkam, Kancheepuram-603 103 and quash the same.

For Petitioners : Mr.Shaikh Mehrunnisa

For Respondents

For R1 : Mr.S.Karthikeyan
Additional Public Prosecutor

For R2 : Mr.B.Balaji

ORDER

This Criminal Original Petition has been filed to quash the FIR No.629 of 2018 pending on the file of E-8 Kelambakkam Police Station, Old Mahabalipuram Road, Kittu Nagar, Kelambakkam, Kancheepuram-603 103.

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 on 23.09.2020 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 Gujrat), this Court in exercise of its jurisdiction

under Section 482 Cr.P.C. quashes the First Information Report in Crime No.629 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.629 of 2018, on the file of the Inspector of Police, E-8 Kelambakkam Police Station, Old Mahabalipuram Road, Kittu Nagar, Kelambakkam, Kancheepuram-603 103 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.25,000/-, as costs, to the 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.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

vsn

To

1. The Inspector of Police,
E-8 Kelambakkam L & O Police Station
Old Mahabalipuram Road,
Kittu Nagar, Kelambakkam,
Kancheepuram-603 103.
2. The Public Prosecutor,
High Court,
Madras.

Copy to
The Section officer,
Accounts Section,
High Court,
Madras.

Cr1.O.P.No.15423 of 2020

SRA(CO)
GS(21/10/2020)