

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2020

CORAM :

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Crl.O.P.No.29783 of 2019
and
Crl.M.P.No.16091 of 2019

Rajkanth ... Petitioner/Accused

Vs

1. The State,
Rep., by Inspector of Police,
Madhavaram Milk Colony Police Station,
Thiruvallur - 6000051.TN.

2. Karthick M

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code to call for the records of the First Information Report in Crime No.259/2019 pending on the file of the Inspector of Police, Madhavaram Milk colony Police Station, Thiruvallur District, i.e. the 1st respondent, registered for offences under Section 323, 324, 294 (b), 506 (ii) of Indian Penal Code and quash the same.

For Petitioner: Mr.S.Nirmal Aditya.

For Respondents: Mr.S.Karthikeyan,

Additional Public Prosecutor for R1.

Mr.Nithyavendan for R2.

O R D E R

The matter was heard through "Video Conference".

2.This Criminal Original Petition has been filed to call for the records of the First Information Report in Crime No.259/2019 which has been registered for the offence under Sections 323, 324, 294 (b), 506 (ii) of Indian Penal Code, pending on the file of the first respondent and quash the same.

3.Heard Mr.S.Nirmal Aditya, learned Counsel appearing for the petitioner and Mr.S.Karthikeyan, learned Additional Public Prosecutor appearing for the first respondent and

Mr.Nithyavendan, learned Counsel appearing for the second respondent.

4.It is seen from the records that the case is under investigation. However, by passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves and accordingly, a Joint Memorandum of Compromise has been filed before this Court which has been signed by the petitioner and the second respondent and also by their respective Counsel. The Petitioner and the second respondent were also present before this Court through Video Conference and they were identified by Mr.S.Vivek, Sub Inspector of Police, Madhavaram Milk Colony Police Station, Thiruvallur District. This Court also enquired both the parties and was 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 proceedings in Crime No.259/2019 pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court in the case of "Parbathbhai Aahir @ Parbathbhai -vs- State of Gujarath" reported in "2017 9 SCC 641", this Court in exercise of its jurisdiction under Section 482 of Criminal Procedure Code quashes the proceedings in Crime No.259/2019.

6.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.259/2019 on the file of the Inspector of Police, Madhavaram Milk Colony Police Station, Thiruvallur, is quashed and the terms of Joint Memorandum of Compromise shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

**** The Xerox copy of the Memo Of Compromise Enclosed**

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Madhavaram Milk Colony Police Station,
Thiruvallur - 6000051.TN.

2.The Public Prosecutor,
High Court of Madras,
Chennai.

+1 cc to M/s.Nirmal Adithya, Advocate Sr.No. 34417

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PA (CO)
RMP (04/12/2020)



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