

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2020

CORAM :

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Cr1.O.P.No.33244 of 2019
and Cr1.M.P.No.18338 of 2019

1. N.Chandran
S/o.P.Natrajan
2. Mani Kanda Ganesh
S/o.Sethumadhavan ... Petitioners

Vs

- 1.The State rep. by
The Inspector of Police,
DCB Coimbatore,
Cr.No.23 of 2019
2. Vanitha
W/o.Rangaraj. Respondents

PRAYER:Criminal Original Petition filed under Section 482 of Criminal Procedure Code to call for the records and quash the FIR in Crime No.23 of 2019 on the file of the first respondent.

For Petitioners: Mr.S.Mekhala

For Respondents

For R1 : Mr.S.Karthikeyan,
Additional Public Prosecutor
For R2 : Mr.A.Saranraj

O R D E R

This Criminal Original Petition has been filed to call for the records of the First Information Report in Crime No.23 of 2019 which has been registered for the offence under Sections 406, 420, 423, 467 and 471 of Indian Penal Code, pending on the file of the first respondent and quash the same.

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2. Heard Mr.S.Mekhala, learned counsel appearing for the petitioners and Mr.S.Karthikeyan, learned Additional Public Prosecutor appearing for the first respondent and Mr.A.Saranraj, learned counsel appearing for the second respondent.

3. 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 Ms.Yamunadevi, Inspector of Police, District Crime Branch, Coimbatore. 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 proceedings in Crime No.23 of 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 Gujarat" 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.23 of 2019.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.23 of 2019 on the file of the Inspector of Police, District Crime Branch, Coimbatore, is quashed and the terms of Joint Memorandum of Compromise shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

*Xerox copy of the Memo of compromise enclosed.

Sd/-
सत्यमेव जयते
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rts

To

1.The Inspector of Police,
DCB Coimbatore.

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

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