

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Cr1.O.P.No.34381 of 2019

N.Naresh,
S/o.Nagaraj

...

Petitioner

versus

1.State rep. by
The Inspector of Police,
R-6, Kumaran Nagar Police Station,
Ashok Nagar,
Chennai - 600 083.

2.Nirmala,
W/o.Nagadevan

...

Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, seeking to call for the records relating to the F.I.R. in Crime No.632 of 2019 dated 09.12.2019 on the file of the first respondent police and quash the same.

For Petitioners : Mr.Lokesh Babu

For Respondent No.1 : Mr.S.Karthikeyan
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed praying to quash the F.I.R. registered in Crime No.632 of 2019 dated 09.12.2019 on the file of the first respondent police, as illegal.

2. Heard Mr.Lokesh Babu, learned counsel appearing for the petitioner and Mr.S.Karthikeyan, learned Additional Public Prosecutor appearing for the first respondent police.

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

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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.Damodharan, Sub Inspector of Police, Kumaran Nagar Police Station, Ashok Nagar, Chennai. 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.632 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 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.632 of 2019.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.632 of 2019 on the file of the Inspector of Police, Kumaran Nagar Police Station, Ashok Nagar, Chennai, is quashed and the terms of Joint Memorandum of Compromise shall form part and parcel of this order.

*Xerox copy of the Memo of Compromise Enclosed.

Sd/-
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

sri

To

1.The Inspector of Police,
R-6, Kumaran Nagar Police Station,
Ashok Nagar,
Chennai - 600 083.

2.The Public Prosecutor,
High Court, Madras.

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+2cc to M/s.A.Lokesh Babu, Advocate SR.39220

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