

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.124 of 2021

S.M. Arul

.. Petitioner/Accused

Vs.

1.State rep.by

The Sub-Inspector of Police,
Central Crime Branch II, EDF III,
Vepery, Chennai - 600 007.

2.R. Chandran

... Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.56 of 2014 dated 29.03.2014 on the file of the first respondent and to quash the same.

For Petitioner : Mr.K.Kannan

For Respondents: Mr. M. Mohamed Riyaz, for R1
Additional Government Pleader

O R D E R

The Criminal Original Petition has been filed to call for the records relating to the Crime No.56 of 2014 on the file of the first respondent and quash the same by allowing this Criminal Original Petition.

2. The case is still at 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 Memo of Compromise dated 16.11.2020 has been filed before this Court which have been signed by the petitioner and the respondent and also by their respective counsel. The petitioner and the second respondent were also present through Video conferencing and they were identified by Ms.Padmavathi, Central Crime Branch II, EDF III, Vepery, Chennai, who was also present at the time of hearing through Video conferencing. In the affidavit it has been stated that the petitioner and the second respondent have entered into a compromise and amicably

settled their issues in Crime No.56 of 2014. 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), and after exercising due caution as advised by the Hon'ble Supreme Court in The State of Madhya Pradesh v. Dhruv Gurjar and Another reported in (2019) 2 MLJ Cr1 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.56 of 2014 pending on the file of the Inspector of Police, Central Crime Branch II, EDF III, Vepery, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.56 of 2014, pending on the file of the Inspector of Police, Central Crime Branch II, EDF III, Vepery, Chennai, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1000/- (Rupees One Thousand only) as costs, to the credit of the President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157), 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//

सत्यमेव जयते
Sub Assistant Registrar

AT

To

- 1.The Sub-Inspector of Police,
Central Crime Branch II, EDF III,
Vepery, Chennai - 600 007.

WEB COPY

2. The Public Prosecutor,
High Court, Madras.

Copy to :

The President
Tamil Nadu Advocate Clerk Association
Madras High Court,
Madras.

+1 cc to M/s.K.Kannan, Advocate Sr.No. 4630

Cr1.O.P No.124 of 2021

NMI (CO)
RMP (16/02/2021)



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