

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.3118 of 2021

Kuralarasan

Petitioner

vs.

1. The State Represented by
Inspector of Police,
M-5, Ennore Police Station,
Tiruvallur District

2. Mr.Sasikumar

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records relating to FIR No.79of 2011 on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.M.Mohamed Riyas

For Respondents: Mr.C.Raghavan
Government Advocate for R1

ORDER

The Criminal Original Petition has been filed to call for records relating to FIR No.79of 2011 on the file of the 1st respondent police and quash the same.

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 Joint Memo of Compromise dated 04.02.2021 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 and they were identified by Mr.Adhikesavan, Head Constable, M-5, Ennore Police Station, Tiruvallur District. 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.79 of 2011. 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 Gujrath), 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.79 of 2011 pending on the file of the Inspector of Police, M-5, Ennore Police Station, Tiruvallur District.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.79 of 2011, on the file of the Inspector of Police, M-5, Ennore Police Station, Tiruvallur District, the entire FIR is quashed and the terms of compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.3000/- (Rupees Three 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. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

ssr

To

1. The Inspector of Police,
M-5, Ennore Police Station,
Tiruvallur District.
2. The Public Prosecutor,
High Court, Madras.

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3.The President,
Tamil Nadu Advocate clerk Association,
Madras High Court , Chennai.

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AKII (CO)
RMP (18/03/2021)



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