

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.16510 of 2020

1. S.R.Saravanan
2. A.Ashraf Ali
3. Seyed Mohammed Ithrees,
4. S.Justin Vinodh
5. R.Saravanan

...Petitioners/Accused

vs.

1. The State Rep. by
The Inspector of Police,
E3, Teynampet Police Station,
Teynampet. ...1st respondent/Complainant

2. P.Vimala ...2nd respondent /Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.676 of 2019 dated 20.12.2019 on the file of the 1st respondent.

For Petitioners: Mr.A.Deivasigamani

For Respondents: Mr.C.Raghavan
Government Advocate for R1
Mr.S.Saravanan
for R2

ORDER

The Criminal Original Petition has been filed to call for the records relating to the Crime No.676 of 2019 on the file of the 1st 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 Joint Memo of Compromise dated 01.11.2020 has been filed before this Court which have been signed by the petitioners and the respondent and also by their respective counsel. The petitioners and the second respondent were also present through Video conferencing and they were identified by Mr.Madhavan, Sub Inspector of Police, Teynampet Police Station, Teynampet, Chennai, who was also present at the time of hearing through Video conferencing. In the Memo, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.676 of 2019. 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 Suprme 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.676 of 2019 pending on the file of the Inspector of Police, Teynampet Police Station, Teynampet, Chennai,

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.676 of 2019, pending on the file of the Inspector of Police, Teynampet Police Station, Teynampet, Chennai, is quashed and the terms of Memo shall form part and parcel of this order. The petitioners shall pay a sum of Rs.750/- each (Rupees Seven hundred and fifty 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.

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Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

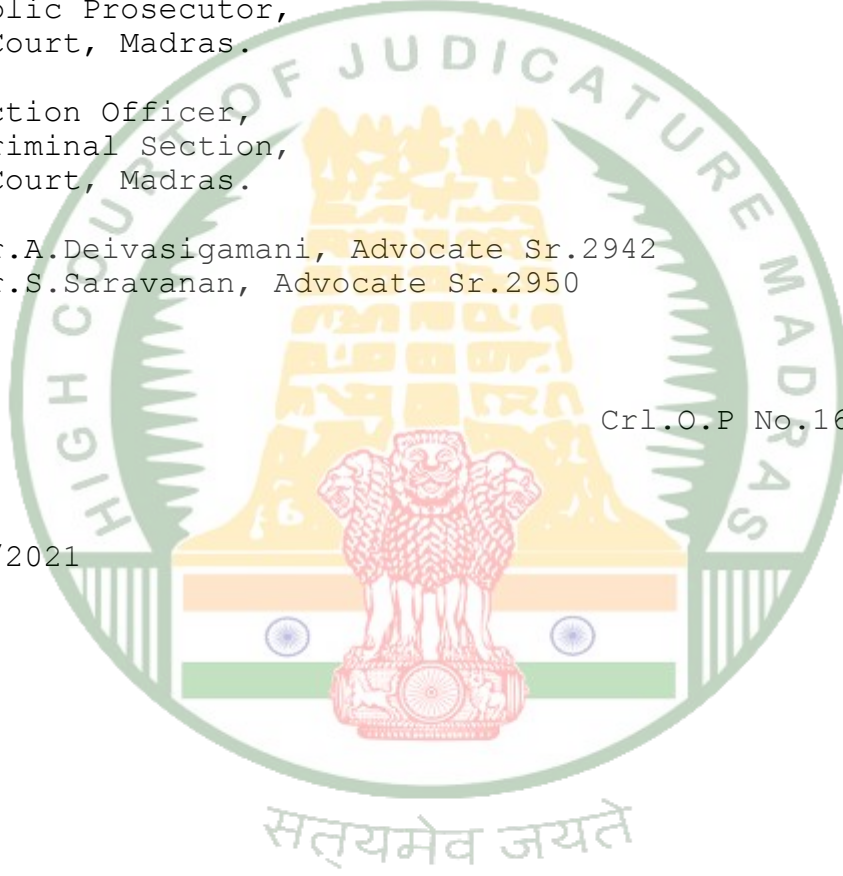
To

1. The Inspector of Police,
E3, Teynampet Police Station,
Teynampet.
2. The President,
Tamil Nadu Advocates Clerk Association,
Madras High Court, Chennai.
3. The Public Prosecutor,
High Court, Madras.
4. The Section Officer,
The Criminal Section,
High Court, Madras.

+5cc to Mr.A.Deivasigamani, Advocate Sr.2942
+1cc to Mr.S.Saravanan, Advocate Sr.2950

Crl.O.P No.16510 of 2020

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srg 22/01/2021



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