

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2021

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P No.7562 of 2021
and
CrI.M.P.No.5000 of 2021

C.K.Radharavi ... Petitioner / Accused

vs.

1.The State of Tamil Nadu
Rep. by the Inspector of Police,
D-2, Chengalpattu Taluk Police Station,
Chengalpattu,
Chengalpattu District.
(Crime No.803 of 2019) ... 1st Respondent / Complainant

2.Indhiragandhi ... 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.803 of 2019 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.J.Selvarajan

For R1 : Mr.M.Mohammed Riyaz,
Additional Public Prosecutor

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ORDER
(Through video conference)

This Criminal Original Petition has been filed to quash the FIR in Crime No.803 of 2019, pending on the file of the 1st respondent police.

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.The affidavit dated 31.03.2021 has been filed by the 2nd respondent/defacto complainant before this Court. The petitioner and the 2nd respondent were also present before this Court through video conferencing at the time of hearing. In the above said affidavit it has been stated that the petitioner and the 2nd respondent have entered into a compromise and amicably settled their issues in Crime No.803 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 Gujarath), 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 CrL 10. This Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the First Information Report in Crime No.803 of 2019, on the file of the 1st respondent police.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.803 of 2019, on the file of the 1st respondent police, 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 each) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry)], 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, the connected miscellaneous petition also stands closed.

*Copy of the Joint Memo of Compromise enclosed

Sd/-

Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

ssi

To

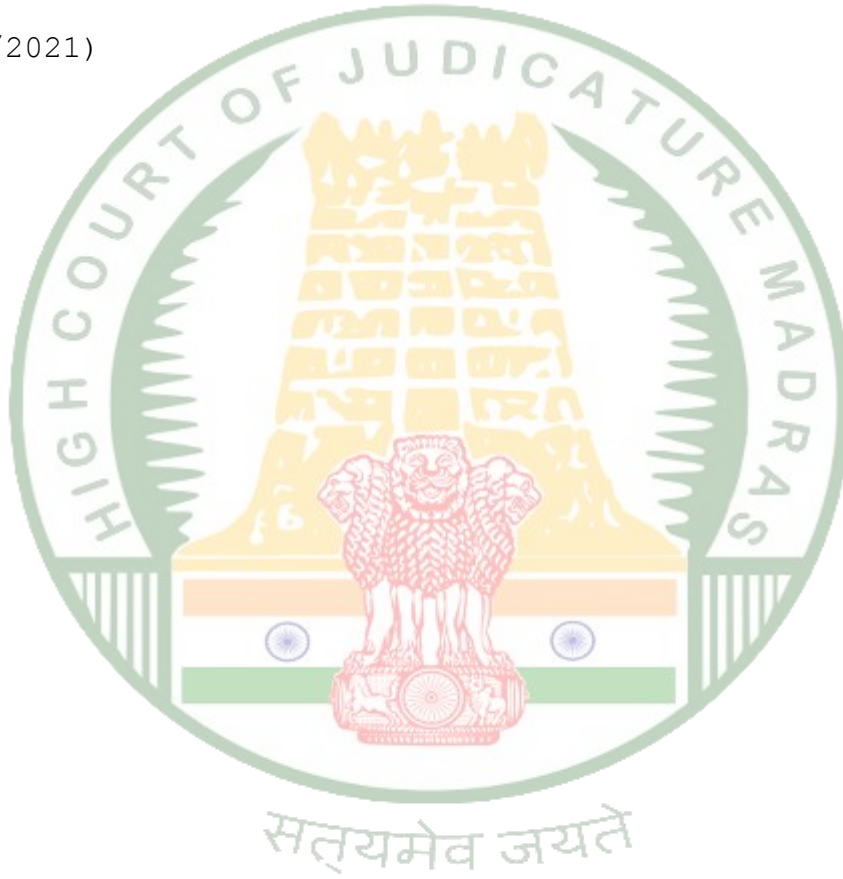
1.The Inspector of Police,
D-2, Chengalpattu Taluk Police Station,
Chengalpattu,
Chengalpattu District.

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

3. The Section Officer,
Accounts Section,
High Court, Madras.

Crl.OP No.7562 of 2021 and
Crl.M.P.No.5000 of 2021

RSI (CO)
GMY (05/07/2021)



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