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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5044 of 2020

1. T.Sathish Kumar

2. T.Pattan

...Petitioners/Accused

Vs.

1. State represented by
The Inspector of Police,
Vadavalli Police Station,
Coimbatore District.

..1st Respondent/Complainant

2. Selvaraj

...2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to quash the FIR in Crime No.391 of 2012 dated 26.09.2012 pending on the file of the first respondent police.

For Petitioners: Mr.D.Muthu

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor for R1

: Mr. Selvaraj
Party-in-person for R2.

ORDER

This Criminal Original Petition has been filed to quash the F.I.R in Crime No.391 of 2012 dated 26.09.2012 on the file of the first respondent police.

2. The case is still in 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 has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. All the parties are present and identified by their respective counsel and the Police. In order to identify the respective parties, they have



also produced the copies of the Aadhaar Card are made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

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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), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.391 of 2012.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.280 of 2018, on the file of the first respondent police is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this Order. The petitioner's counsel paid a sum of Rs.10,000/- as costs to the High Court Legal Services Committee, High Court Campus, Chennai on 13.03.2020 and enclosed a receipt of the deposit.

(* Enclosed Xerox copies of Joint Memo of Compromise)

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Inspector of Police,
Vadavalli Police Station,
Coimbatore District.

2. The Public Prosecutor,
High Court,
Madras.

+3 CCS to Mr.D.Muthu, Advocate sr 22478.

Cr1.O.P.No.5044 of 2020

KJ(CO)
SP(15/07/2020)