

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.1044 of 2021

Siddique

Petitioner

vs.

1. The State Rep. by
The Sub Inspector of Police,
B2, Esplanade Police Station,
Chennai 600104

..1st respondent/Complainant

2. A.Meeran Sadakathulla

..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.1707 of 2020 on the file of the respondent police and quash the same as against the petitioner based on the compromise agreement dated 28.12.2020.

For Petitioners : Mr.Raja Mohamed

For Respondents : Mr.Mohammed Riyaz

Additional Public Prosecutor for R1

ORDER

The Criminal Original Petition has been filed to call for the records

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 compromise agreement dated 04.01.2021 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 through Video conferencing and they were identified by Mr.Mannangatti, Sub Inspector of Police, B2, Esplanade Police Station, Chennai 600104, who was also present at the time of hearing through Video conferencing. In the agreement, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.1707 of 2020. 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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.1707 of 2020 pending on the file of the Inspector of Police, B2, Esplanade Police Station, Chennai 600104

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.1707 of 2020, pending on the file of the Inspector of Police, B2, Esplanade Police Station, Chennai 600104, is quashed and the terms of agreement shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1500/- (Rupees One thousand five hundred 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.

05.02.2021

Index : Yes/No
Internet : Yes/No
rka



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N. ANAND VENKATESH, J.

rka

To

1. The State Rep. by
The Sub Inspector of Police,
B2, Esplanade Police Station,
Chennai 600104
2. The Public Prosecutor,
High Court, Madras.



Crl.O.P No.1044 of 2021

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