

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.NO.2428 OF 2021

1.Abuthaheer
2.Thirumurthy Balagy
3.Manikandan
4.Premkumar

...Petitioners

.Vs.

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

... 1st Respondent

(Crime No.247 of 2019)

2.Ramkumar

... 2nd Respondent/
Defacto Complainant

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the FIR in Crime No.247 of 2019, on the file of the 1st respondent Police and quash the same.

For Petitioners : Mr.K.Arunraj

For Respondents : Mr.C.Raghavan
Government Advocate
for R 1

WEB COPY
O R D E R

This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.247 of 2019, pending on the file of the 1st respondent.

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 Compromise Memo, dated 06.01.2021, has been filed before this Court which have been signed by the petitioners and the 2nd respondent and also by their respective counsel. The petitioners and the second respondent were also present before this Court and they were identified by Mr.Tamilmani, Police Constable, Periyanaickenpalaym, Coimbatore. In order to identify the respective parties petitioners have also produced the copies of the Aadhaar Card and it is made part of the record. In the joint compromise 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.247 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 in (Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath) reported in (2017) 9 SCC 641, 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. 247 of 2019, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, investigation in Crime No. 247 of 2019, on the file of the 1st respondent police, is quashed and the terms of joint compromise memo shall form part and parcel of this order. The petitioners shall pay a sum of Rs.2500/- (Rupees two 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.

* Xerox copy of Joint Memo Compromise enclosed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

KP

To

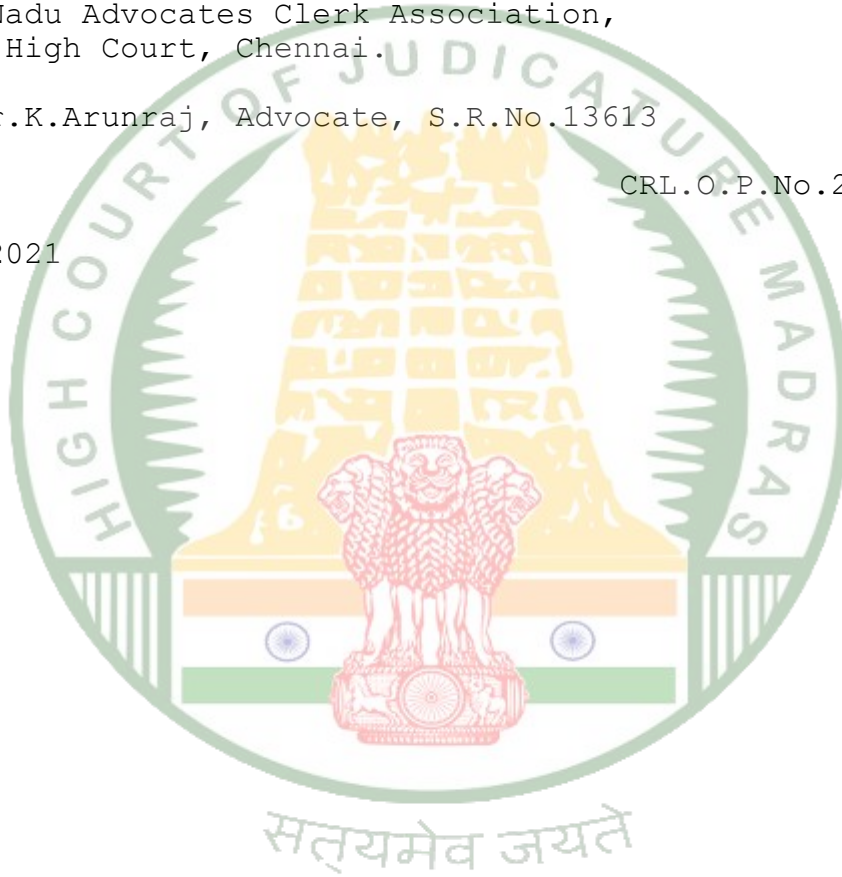
1. The Inspector of Police,
Periyanaickenpalaym Police Station,
Periyanaickenpalaym,
Coimbatore District.
2. The Public Prosecutor,
High Court, Madras.

Copy To
The President,
Tamil Nadu Advocates Clerk Association,
Madras High Court, Chennai.

+2cc to Mr.K.Arunraj, Advocate, S.R.No.13613

CRL.O.P.No.2428 of 2021

GSM(CO)
CS/01/04/2021



WEB COPY