

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.NO.1224 OF 2021

Chandru

... Petitioner/
Complainant

vs.

1. The State by:-
Inspector of Police,
Sunguvarchatharam Police Station,
Kancheepuram District.

.. Respondent/Complainant

2. M.Chindu

... 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.539 of 2020 pending on the file of the 1st respondent Police namely the Inspector of Police, Sunguvarchatram Police Station and quash the same.

For Petitioner : Mr.V.Balu

For Respondent : Mr.C.Raghavan

Government Advocate (crl. Side)

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.539 of 2020, pending on the file of the first 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. The Joint Compromise Affidavit dated 05.02.2021 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present and they were identified by Mr.Saravanan, Special Sub

Inspector, Sunguvarchatram. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and it is made part of the record. In the Joint Compromise affidavit it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.539 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 Gujrat), 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.539 of 2020, on the file of the first respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.539 of 2020, on the file of the first respondent police, is quashed and the terms of affidavits shall form part and parcel of this order. The petitioner shall pay a sum of Rs.25,000/- (Rupees Twentyfive thousand 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 Compromise Memo, dated 05.02.2021 enclosed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

jv

To

1. The Inspector of Police,
Sunguvarchatharam Police Station,
Kancheepuram District.

2. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

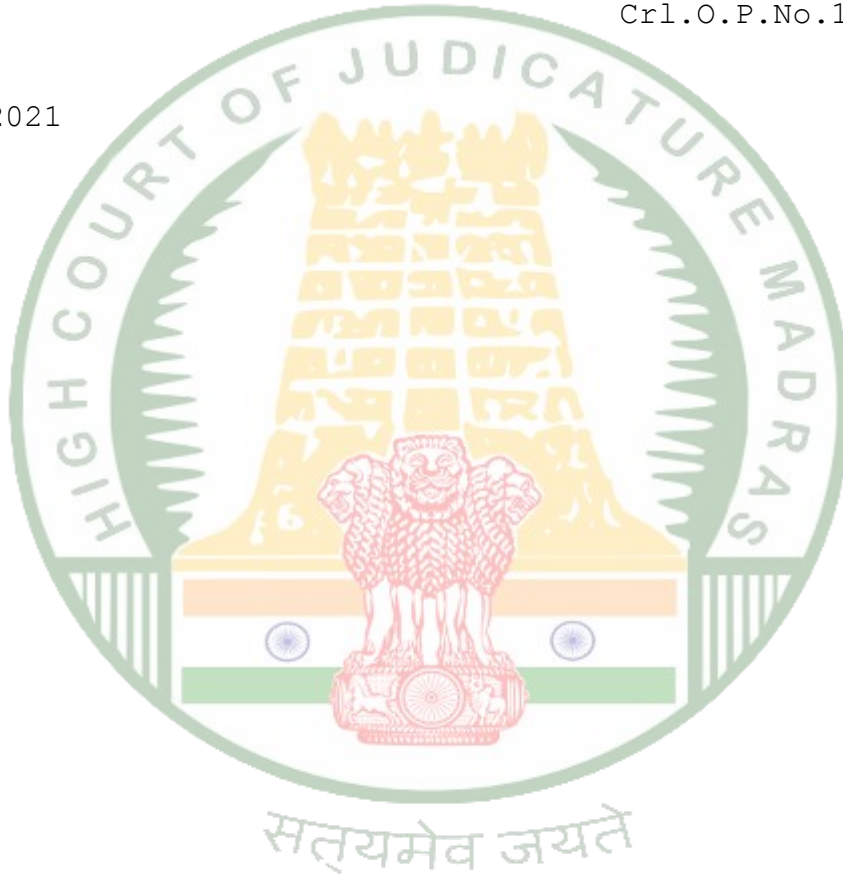
Copy To

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

+1cc to Mr.V.Balu, Advocate, S.R.No.14098

Cr1.O.P.No.1224 of 2021

GPL(CO)
CS/08/04/2021



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