

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P.No.3862 of 2021

1. Irudaya Raj U
2. Saran
3. Thirumurugan
4. Antony Dsouza
5. Ranjith

...Petitioners 1 to 5/ Accused 1 to 5

Versus

1.The State represented by its  
Inspector of Police,  
Ambattur Estate Police Station,  
Chennai.

Crime No.778 of 2020

...1st Respondent/Complainant

2.R.Balakrishnan

...2nd Respondent/Defacto-Complainant

This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code praying to call for the records relating to the case in Crime No.778 of 2020 pending investigation on the file of the first respondent and quash the same.

For Petitioners : Mr.K.G.Senthilkumar

For Respondents : Mr.M.Mohamed Riyaz R1  
Addl. Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.778 of 2020 , pending on the file of the 1<sup>st</sup> 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 Affidavit dated 20.01.2021 has been filed by the 2<sup>nd</sup> respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present before

this Court at the time of hearing and they were identified by Mr.Bharanidharan, Inspector of Police, Ambattur Estate Police Station, Chennai. 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 affidavit, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.778 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.778 of 2020, on the file of the 1<sup>st</sup> respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.778 of 2020, on the file of the 1<sup>st</sup> respondent police, is quashed and the terms of affidavit shall form part and parcel of this order.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,  
Ambattur Estate Police Station,  
Chennai.

2.The Public Prosecutor,  
High Court of Madras.

+1 cc to M/S.K.G. Senthil Kumar, SR.NO. 16389.

Cr1.O.P.No.3862 of 2021

SSN(CO)  
NS(03/05/2021)