

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2021

CORAM

THE HONOURABLE MR.JUSTICE **N. ANAND VENKATESH**

Crl.OP.No.2412 of 2021

Sivabalan

...Petitioner

.Vs.

1.State rep.by
The Sub Inspector of Police,
J-6, Thiruvanmiyur Police Station,
Chennai.

(Crime No.591 of 2019)

2.Mr.S.Kaja Moideen

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in connection with Cr.No.591 of 2019, on the file of 1st respondent and quash the same.

For Petitioners : Mr.R.Vivekananthan

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

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.591 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. The Affidavit dated 30.11.2020, has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present before this Court and they were identified by Mr.Vigil Kumar, Gr-I Constable, Thiruvannamipur 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 petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.591 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 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.591 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.591 of 2019, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a

sum of Rs.1000/- (Rupees one 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.

24.02.2021

Internet : Yes
Index: Yes/No
KP



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To

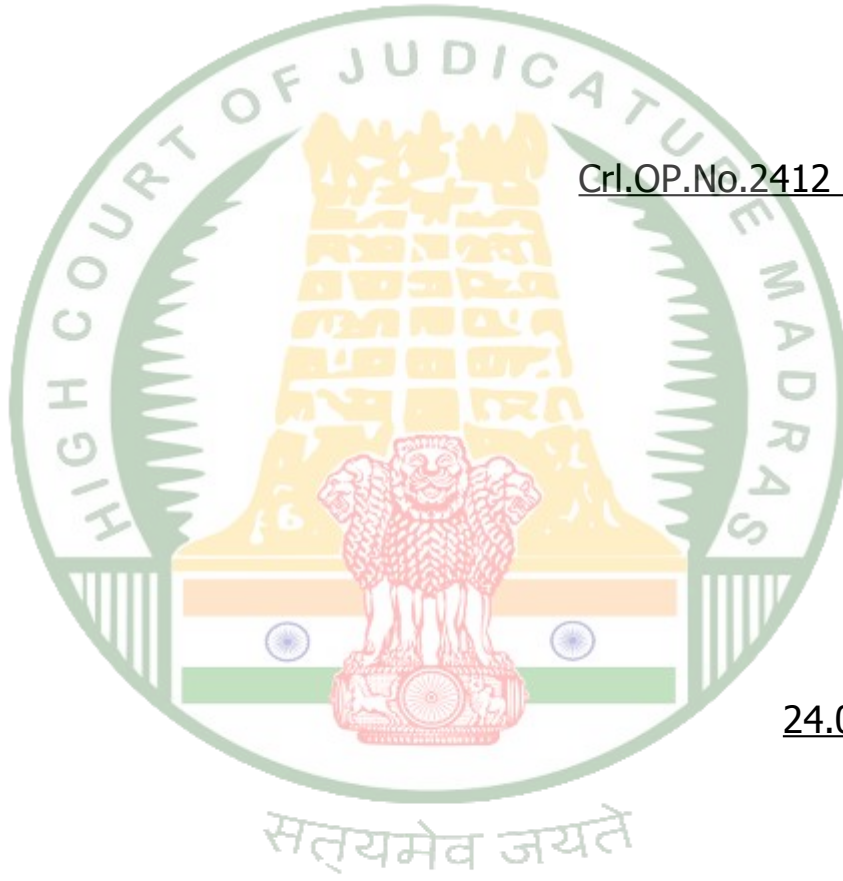
1.The Sub Inspector of Police,
J-6, Thiruvanmiyur Police Station,
Chennai.

2.The Public Prosecutor,
High Court, Madras.



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N. ANAND VENKATESH,, J.
KP



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24.02.2021

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