

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.NO.3546 OF 2021

1. Ruban
2. Mashok

Petitioners/
A1 & A2

vs.

1. State by
The Inspector of Police,
T-12, Poonamallee Police Station,
Poonamallee,
Chennai.

... 1st Respondent/
Complainant

2. Silambarasan

... 2nd Respondent/
Defacto Complainant

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the first information report registered in Crime No.941 of 2020 pending investigation on the file of the first respondent.

For Petitioners: Mr.V.Paarthiban

For Respondents: Mr.M.Mohammed Riyaz
Additional Public Prosecutor
for R1

ORDER

The Criminal Original Petition has been filed to call for the records and quash the first information report registered in Crime No.941 of 2020 pending investigation 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. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the respondent and also by their respective counsel. The petitioners and the second respondent were also present they were identified by Mr.Kumar, Inspector of Police, T-12, Poonamallee Police Station, Poonamallee, Chennai. 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.941 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.941 of 2020 pending on the file of the Inspector of Police, T-12, Poonamallee Police Station, Poonamallee, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.941 of 2020, on the file of the Inspector of Police, T-12, Poonamallee Police Station, Poonamallee, Chennai pending, is quashed and the terms of compromise 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. Consequently, connected miscellaneous petition is closed.

* Xerox copy of Joint Memo of Compromise enclosed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ssr

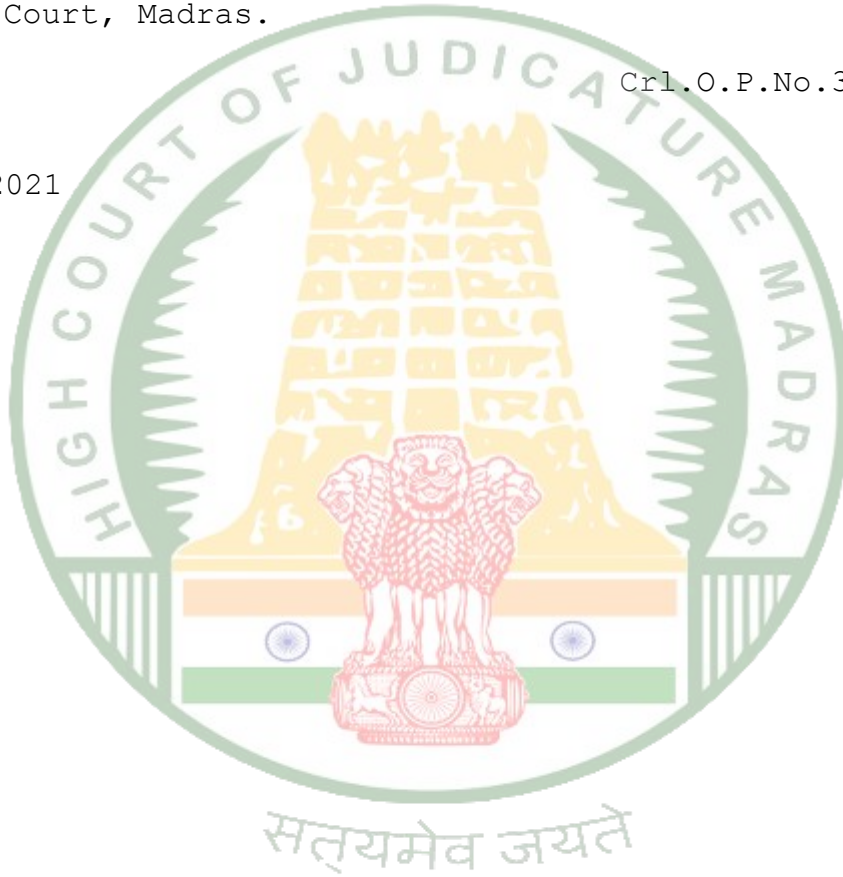
To

1. The Inspector of Police,
T-12, Poonamallee Police Station,
Poonamallee, Chennai.
2. The Public Prosecutor,
High Court, Madras.

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

Cr1.O.P.No.3546 of 2021

MG(CO)
CS/08/04/2021



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