

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P No.2243 of 2021

and

CRL.M.P.Nos.1048 and 1230 of 2021

B.Rolston Karunakaran

..Petitioner

Vs.

1. The state represented by
The Inspector of Police,
Viruthampet Police Station, Vellore,
Vellore District.
Crime No.1303 of 2020

2. A.Punitha

..Respondents

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 in Crime No.1303 of 2020 dated 01.11.2020 on the file of 1st respondent.

For Petitioner : Mr.P.Kannan

For Respondent No.1 : C.Raghavan

Government Advocate

For Respondent No.2 : Mr.K.Manimuthu Kumaresan

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.1303 of 2020, 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 Memorandum of understanding dated 19.02.2021 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present through Video conferencing and they were identified by Mr.Ravindran, Special Sub Inspector of Police, Viruthampet Police Station, Vellore, Vellore District. . 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.1303 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 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 Cr1 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.1303 of 2020, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.1303 of 2020, 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.2,500/- (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]. Consequently, the connected Miscellaneous Petitions are also closed.

* Xerox copy of Compromise Deed Enclosed

s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

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To

1. The Inspector of Police,
Viruthampet Police Station, Vellore,
Vellore District.
2. The Public Prosecutor,
Puducherry.

Copy to

The President,

Tamil Nadu Advocate Clerk Association,
Madras High Court, Chennai.

+1cc to Mr.K.Manimuthu Kumarasamy, Advocate, SR.No.10060
+1cc to Mr.P.Kannan, Advocate, SR.No.10061

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and
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SR II(CO)
KKV/10/03/2021



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