

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P.No.5309 of 2021

Yaswanth

...Petitioner

Versus

1.The State represented by its
Inspector of Police,
T-7, Tank Factory Police Station,
Ambattur, Chennai.
Crime No.516 of 2020

...1st Respondent/Complainant

2.Vinayagam

...2nd Respondent/Defacto-Complainant

This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code praying to call for the records in Crime No.516 of 2020, pending on the file of the T-7, Tank Police Station and quash the same with regard to the petitioner.

For Petitioners : Mr.A.Aravindan
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.516 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 Affidavit dated 22.02.2021 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present before this Court at the time of hearing through video conferencing and they were identified by Mrs.Ramalakshmi, Inspector of Police, T-7, Tank Factory Police Station, Ambattur, 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.516 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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.516 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.516 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.

18.03.2021

Index : Yes/No
Speaking Order (or) Non-Speaking Order
Internet: Yes/No
rli

N.ANAND VENKATESH, J.,

rli

To

1. The Inspector of Police,
T-7, Tank Factory Police Station,
Ambattur, Chennai.

2.The Public Prosecutor,
High Court of Madras.



Crl.O.P.No.5309 of 2021

18.03.2021

WEB COPY