

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 30.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl.O.P No.4118 of 2021

1. Silambarasan
2. Chinnaababu
3. Manjunathan Desigamani

...Petitioners

vs.

1. State by
The Inspector of Police,
Virinchipuram Police Station,
Vellore - 632 104.

2. Ganesan

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the case in FIR No.230 of 2017, dated 09.07.2017 pending on the file of the 1st respondent police and quash the same.

For Petitioners : Mr.A.Antony Robson

For Respondents : Mr.C.Raghavan
Government Advocate for R1

ORDER

The Criminal Original Petition has been filed to call for the records pertaining to the case in FIR No.230 of 2017, pending on the file of the 1st respondent police and quash the same.

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.Sekar, Sub Inspector of Police, Virinchipuram Police

Station, Vellore - 632 104. 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.230 of 2017. 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.230 of 2017 pending on the file of the Inspector of Police, Virinchipuram Police Station, Vellore - 632 104.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.230 of 2017, on the file of the Inspector of Police, Virinchipuram Police Station, Vellore - 632 104 pending, is quashed and the terms of compromise shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.750/- (Rupees Seven Hundred and Fifty 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 Compliance Memo Filed
by the Petitioners, dated 19.07.2021 enclosed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Inspector of Police,
Virinchipuram Police Station,
Vellore - 632 104.
2. The Public Prosecutor,
High Court, Madras.
3. The President,
Tamilnadu Advocates clerk Association,
Madras High Court,
Chennai.

+2ccs Mr.A. Antony Robson, Advocate, S.R.No.21605

Cr1.O.P No.4118 of 2021

GMI (CO)
SU(13/07/2021)



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