

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 16.03.2021

CORAM
THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH
Cr1.OP.No.4259 of 2021

1.Marimuthu
2.Mohan
3.Sivan

...Petitioners

.Vs.

1.State rep.by
The Inspector of Police,
Walajapet Police Station,
Ranipet District.
Crime No.348 of 2015. ...1st Respondent/Complainant

2.Gopi ... 2nd Respondent/
De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the proceedings as against the petitioner in Cr.No.348 of 2015, pending on the file of the 1st respondent herein, by accept the Joint Compromise Memo.

For Petitioners : Mr.S.Sairaman
For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor
for R 1
Mr.Sarath Chandran for R2

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.348 of 2015, 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. A Joint Memo of Compromise, dated 24.02.2021, has been filed before this Court which have been signed by the petitioners and the 2nd respondent and also by their respective counsel. The petitioners and the 2nd respondent were also present in person before this Court and they were identified by Me.Kumaravelan, Sun Inspector, Ranipet 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. 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 case pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court in (Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath) reported in (2017) 9 SCC 641 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., quash the First Information Report in Crime No.348 of 2015, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, investigation in Crime No.348 of 2015, on the file of the 1st respondent police, is hereby quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioners shall pay a sum of Rs.1,500/- (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.

This Criminal Original Petition is accordingly allowed.

Sd/-

Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

KP

To

1. The Inspector of Police,
Walajapet Police Station,
Ranipet District. (Crime No.348 of 2015)

2. The Public Prosecutor,
High Court, Madras.

Copy to:
The President,
Tamil Nadu Advocates Clerk Association,
Madras High Court, Chennai

+1cc to MR.S.SAIRAMAN, ADVOCATE, SR.NO. 16692

Cr1.OP.No.4259 of 2021

PM(CO)
KKN 23.04.2021



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