

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2021

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.4893 of 2021

N.Sivaraj

..Petitioner/Accused

Vs.

1. State Rep.by

The Inspector of Police,
Minjur Police Station,
Thiruvallur District

...1st Respondent/Complainant

2. Chaudhry Arjiramji

...2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records and quash the proceedings against the petitioner in crime No.19 of 2021 pending on the file of the 1st respondent herein by accepting the joint compromise memo dated 11.02.2021.

For Petitioners : Mr.S.Sairaman

For Respondent No.1 : Mr.M.Mohammed Riyaz
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.19 of 2021, 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 compromise affidavit dated 24.02.2021 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present through Video conferencing and they were identified by Mr.Simon Durai, Sub Inspector of Police, Minjur Police Station, Thiruvallur 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.19 of 2021. 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.19 of 2021, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.19 of 2021, 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.1000/- (Rupees one thousand only) as costs, to the credit of 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.

(* Memo of Compromise Xerox copies enclosed)

s/d-
Assistant Registrar(CS VII)
True Copy
Sub-Assistant Registrar

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To

1. The Inspector of Police,
Minjur Police Station,
Thiruvallur District

2. The Public Prosecutor,
High Court, Madras.

Copy to

The President
Tamil Nadu Advocate Clerk Association
Madras High Court, Chennai

Cr1.O.P.No.4893 of 2021

GPL(CO)
SP(19/05/2021)
KKV/03/06/2021