

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25.03.2021
CORAM
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.5028 of 2021

1.Abdul Nasar
2.Mohammed Rafi

... Petitioners

Vs.

1.State rep.by
The Inspector of Police,
Tiruppur Rural Police Station,
Tiruppur City.

(Crime No.1555/2020)

2.Mohammed Rasool Respondents

Prayer: This Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records relating to crime no.1555 of 2020, on the file of the 1st respondent and quash the same.

For Petitioners : Mr.C.S.Saravanan

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor
for R 1

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.1555 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 18.02.2021 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.T.Palanisamy, Sub Inspector of Police, Tiruppur. 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.1555 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 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.1555 of 2020, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.1555 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 petitioners shall pay a sum of Rs.1000/- (Rupees One Thousand 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].

Sd/-
Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

KP

ENCL :XEROX COPY OF AFFIDAVIT

To

1.The Inspector of Police,
Tiruppur Rural Police Station,
Tiruppur City.

2.The Public Prosecutor,
High Court, Chennai

Copy to:

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

Cr1.O.P.No.5028 of 2021

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KN(CO)

KKN 29.04.2021