

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P.No.4551 of 2021

1. M.Madhan
2. E.Naresh
3. D.Anandhan
4. T.Adhikesavan

...Petitioners

Versus

1.The State represented by its
Inspector of Police,
H-3, Tondiarpet L & O Police Station,
Old Washermenpet,
Chennai-21.

T.I.Rajan

....Respondents

This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code praying to call for the records and quash the FIR in Crime No.4500 of 2020 pending on the file of the first respondent and quash the same.

For Petitioners	:	Mr.S.Apune	
For Respondents	:	Mr.C.Raghavan	R1
		Government Advocate	
		(Crl. Side)	
		Ms.B.Elakkiya for R2	

O R D E R

The Criminal Original Petition has been filed to quash the FIR in Crime No.4500 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 joint compromise memo dated 22.02.2021 and the Affidavit of the second respondent/defacto complainant dated 22.02.2021 has been filed 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 Mr.Balasubramaniam, Sun Inspector of Police, H-3,

Tondiarpet L & O Police Station, Old Washermenpet, 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 joint compromise memo and 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.4500 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.468 of 2013, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.4500 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 petitioners shall pay a sum of Rs.3,000/- (Rupees Three thousand only) as costs, to the credit 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 (CS-VI)

//True Copy//

Sub Assistant Registrar

ENCL: Xerox Copy of Compromise Memo

To

1. The Inspector of Police,
H-3, Tondiarpet L & O Police Station,
Old Washermenpet,
Chennai-21.

2.The Public Prosecutor,
High Court of Madras.

3.The President,
Tamilnadu Advocates Clerk Association,
Madras High Court,
Chennai.

Cr1.O.P.No.4551 of 2021

GPL (CO)
GN (09/04/2021)



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