

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2021

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.5187 of 2021
and Crl.M.P No.3331 of 2021

Kapil Kassilingam, C.A., Son of Aaramudhu, C. ..Petitioner

vs.

1. State represented by
Sub-Inspector of Police,
N-1, Royapuram Police Station,
Royapuram, Chennai-600 13.

2.Smt.Niraja
Wife of Aramudhu, C ..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in N-1 Police Station Crime No.51 of 2021 on the file of Sub Inspector of Police, and to quash the same.

For Petitioner : Mr.G.Krishnamurthy

For Respondents : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor for R1

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.51 of 2021, pending on the file of the 1st respondent.

2. The case is still at the stage of investigation. The parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. The Affidavit dated 19.02.2021 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.MuthuPandi, Constable, N-1, Royapuram Police Station, who was also present at the time of hearing through Video conferencing. 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 petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.51 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 Gujrath)**, 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 CrI 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.51 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.51 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. Consequently, the connected Miscellaneous Petition is also closed.

16.03.2021

Speaking Order/Non-Speaking Order

Index : Yes/No

Internet : Yes/No

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सत्यमेव जयते

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To

1. The Inspector of Police,
N-1, Royapuram Police Station,
Royapuram, Chennai-600 13.
2. The Public Prosecutor,
Puducherry.

N. ANAND VENKATESH, J.

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