

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.4682 of 2021

1. M.Murugappan
2. M.R.Kalyani
3. M.R.Subulakshmi @ kalpana
4. C.Arunachalam

Petitioners/Accused 1 to 4

vs.

1. The State Rep. by
The Inspector of Police,
T1, Ambattur Police Station,
Chennai

..1st respondent/Complainant

2. M.Sivaganesah

..2nd respondent /Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the FIR registered by the 1st respondent and pending investigation in Crime No.2307 of 2017.

For Petitioners : M/s.Arul Selvam Associates

For Respondents : Mr.C.Raghavan
Government Advocate
for 1st respondent

ORDER

The Criminal Original Petition has been filed to call for the records relating to the Crime No.2307 of 2017 on the file of the 1st respondent and quash the same by allowing this Criminal Original Petition.

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. An Affidavit of the defacto complainant has been filed before this Court which has been signed by his counsel. The petitioner and the second respondent were also present through Video conferencing and they were identified by Mr. Maria Joseph, Sub Inspector of Police, T1, Ambattur Police Station, Chennai, who was also present at the time of hearing through Video conferencing. 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.2307 of 2017. 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.640 of 2020 pending on the file of the 1st respondent.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.2307 of 2017, pending on the file of the, Inspector of Police, T1, Ambattur Police Station, Chennai is quashed and the terms of Affidavit shall form part and parcel of this order. The petitioners shall pay a sum of Rs.2,000/- (Rupees two 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.

12.03.2021

Index : Yes/No
Internet : Yes/No
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N. ANAND VENKATESH, J.

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To

1. The State Rep. by
The Inspector of Police,
T1, Ambattur Police Station,
Chennai
2. The Public Prosecutor,
High Court, Madras.



Crl.O.P No.4682 of 2021

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