



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.7095 of 2021

Anandakumar

...Petitioner

Vs.

1. State Rep. by
The Inspector of Police,
CCB-I, Chennai.
(Cr.No.48/2020).

2.R.Ivarathi

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to issue direction to call for records in Crime No.48 of 2020 pending on the file of the respondent police and quash the same.

For Petitioner : Mr.T.V.C.Kartheeban

For R1 : Mr.A.Damodaran
Government Advocate (Cr1.Side)

For R2 : Mr.C.Mohan Raj

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.48 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 Affidavit dated 23.03.2021 has been filed by the the petitioner and the 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present through Video conferencing. In the said 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.48 of 2020. This Court also



enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. In pursuant to the order of this Court dated 15.04.2021, the second respondent/defacto-complainant appeared before the respondent police and informed about the compromise entered between her and the petitioner.

5. The learned Government Advocate (Crl. Side) appearing for the first respondent also confirms the same.

6. 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 Crl 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.48 of 2020, on the file of the 1st respondent Police.

7. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.48 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 petitioner shall pay a sum of Rs.1000/- (Rupees One Thousand only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry)], 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].

* Xerox copy of Joint Memo of Compromise,
dated 23.03.2021 enclosed

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

ah



1. The Inspector of Police,
CCB-I, Chennai.

Copy To

+1cc to Mr.T.V.G.Kartheeban, Advocate, S.R.No.28317

PMK (CO)
RGA (22/07/2021)