

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.OP.No.6354 of 2021

Prince Mathuram Cornelyus

... Petitioner

Vs.

1. The State represented by
The Inspector of Police
Team XXVIII (Job Bracketing Team)
Central Crime Branch, Vepery
Chennai - 600 007.
(Crime No.33 /2021)

2. C.N.Premnath ... Respondents
Criminal Original Petition filed under Section 482 of the
Code of Criminal Procedure, to call for the records in Crime No.
33 of 2021 on the file of First Respondent police and quash the
same as against the Petitioner.

For Petitioner : Mr.R.Vivekananthan

For Respondents : Mr.Mommahed Riyaz

Additional public prosecutor for R1

Mr. M.Prakash for R2

ORDER

The Criminal Original Petition has been filed to call for the records relating to the Crime No.33 of 2021 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 and petitioner has been filed before this Court which has been signed by both the parties. The petitioner and the second respondent were also present through Video conferencing and they were identified by Mr.Hari Om Namasivaya, Sub Inspector of Police, Team XXVIII (Job Bracketing Team), Central Crime

Branch, Vepery, Chennai - 600 007, 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.33 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 Crl 10**, this Court in exercise of its jurisdiction under Section

482 Cr.P.C. quashes the First Information Report in Crime No.33 of 2021 pending on the file of the 1st respondent.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.33 of 2021, pending on the file of the 1st respondent is quashed and the terms of Affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.5,000/- (Rupees Five 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.

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01.04.2021

Index:Yes/No
Internet:Yes.
rka

To

1. The Inspector of Police
Team XXVIII (Job Bracketing Team)
Central Crime Branch, Vepery
Chennai - 600 007.
2. The Public Prosecutor
High Court, Madras.



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N.ANAND VENKATESH, J.,

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