

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2021

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THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.6447 of 2021

Kanniyappan .. Petitioner/Sole Accused

Vs.

1. State Rep. By the
Inspector of police,
T-3, korattur Police Station,
Chennai District. ..1st respondent/Complainant

2.Ramalingam .. 2nd Respondent/Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.810 of 2012 on the file of the 1st respondent /complainant to quash the same in view of the compromise entered into both parties.

For Petitioners : Mr.P.Muthamizh Selvakumar

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.810 of 2012, 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 Memo of compromise dated 24.03.2021 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.Shivakumar, Head constable,T-3, korattur Police Station, Chennai District. 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.810 of

2012. 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.810 of 2012, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.810 of 2012, 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*

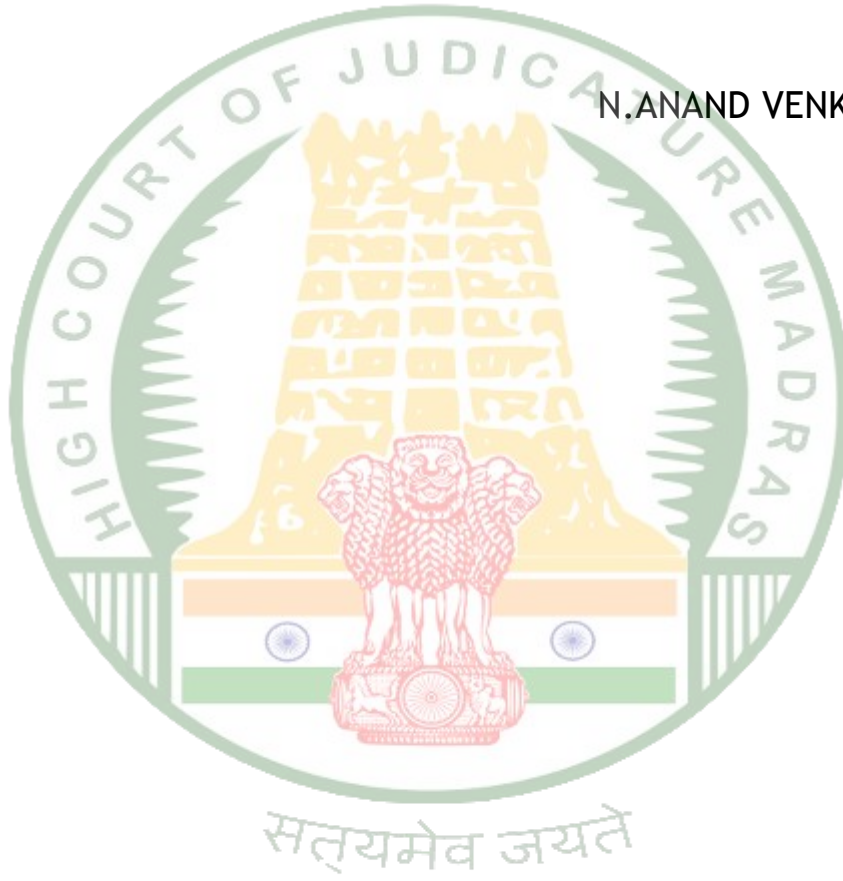
of Rs.5000/- (Rupees five thousand only) as costs, to the credit of President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157), within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

01.04.2021

Index : Yes/No
Internet: Yes/No
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To

1. State Rep. By the
Inspector of police,
T-3, korattur Police Station,
Chennai District.
- 2.The Additional Public prosecutor,
High Court Madras.



N.ANAND VENKATESH, J.

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