



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.8120 of 2021

Dharmesh
S/o.Muthiyalu

... Petitioner/A2

Versus

1. State of Tamil Nadu
Represented by
The Inspector of Police
Arakkonam Town Police Station,
Arakkonam, Ranipet District. ...1st Respondent/Complainant
2. Munikrishnan,
S/o.Rajendiran ..2nd Respondents/Defacto complainant

PRAYER: Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records in FIR in Crime No.201 of 2014, on the file of the first respondent/complainant herein and quash the same as against the Petitioner/Accused-2 on the basis of Memo of Compromise entered into between the Petitioner/Accused-2 and the 2nd respondent/defacto complainant.

For Petitioner : Mr.S.Vijay Anand
For R1 : Mr.Damodharan,
Counsel for Government of Tamil Nadu
(CrI. Side)
For R2 : Munikrishnan
(appeared through VC)

ORDER

The Criminal Original Petition has been filed to call for the records and quash the FIR.No.201/2014 on the file of the Inspector of Police, Arakkonam Town Police Station, Arakkonam, Ranipet District.



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 dated 19.04.2021 has been filed by the second respondent/defacto complainant and the Joint Memo of Compromise dated 19.04.2021 filed by both the parties before this Court. The petitioner and the second respondent/defacto complainant were also present through Video conferencing. In the above said Affidavit and Memo of Joint Compromise, it has been stated that the petitioner and the second respondent/defacto complainant have entered into a compromise and amicably settled their issues in FIR.No.201 of 2014. 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 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 Gujarat), 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 Cr1 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in FIR.No.201 of 2014, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in FIR.No.201 of 2014, on the file of the 1st respondent police, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. [The petitioner shall pay a sum of Rs.1000/- (Rupees One Thousand only each) 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].

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

klt/vv



To

1. The Inspector of Police
Arakkonam Town Police Station,
Arakkonam, Ranipet District.

2. The Public Prosecutor,
High Court, Madras.

Copy to:

The SAR,
Accounts Section,
High Court, Madras.

+2ccs to M/S.S.Vijay Anand, Counsel for the petitioner wide,
S.R.No.27527

Cr1.O.P.No.8120 of 2021

KJ(CO)
SU(22/07/2021)