

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P Nos.17192 and 19715 of 2020

1. K.Sujith ..Petitioner in Crl OP No.17192 of 2020
2. R.Kamesh
3. K.Ajith
4. B.Manikandan
5. S.Sandeep Kumar ..Petitioners in Crl OP No.19715 of 2020

vs.

1. The State Rep. by  
The Inspector of Police,  
H5, New Washermenpet Police station,  
Chennai 600 081 ..1<sup>st</sup> respondent/Complainant  
in both Crl OPs
2. D.Lokesh ..2<sup>nd</sup> respondent /Defacto complainant  
in both Crl Ops

COMMON PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.1183 of 2017 on the file of the 1<sup>st</sup> respondent and quash the same.

For Petitioners : Mr.Illayas  
in Crl.O.P.17192/2020  
in both Crl Ops  
For Respondents : Mr.C.Raghavan  
in both Crl Ops Government Advocate for R1

WEB COPY : Mr.G.Suresh for R2 in  
Crl.O.P.No.17192/2020

Mr. D. Logesh for R2 in  
Crl.O.P.No.19715/2020

ORDER

The Criminal Original Petition has been filed to call for the records relating to the Crime No.1183 of 2017 on the file of the 1<sup>st</sup> 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. The affidavit of the defacto complainant dated 27.11.2020 has been filed before this Court which have been signed by the petitioners and the respondent and also by their respective counsel. The petitioners and the second respondent were also present through Video conferencing and they were identified by Mr.Elangovan, Sub Inspector of Police, H5, New Washermenpet Police station, Chennai 600 081, who was also present at the time of hearing through Video conferencing. In the affidavit, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.1183 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 CrL 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.1183 of 2017 pending on the file of the Inspector of Police, H5, New Washermenpet Police station, Chennai 600 081.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.1183 of 2017, pending on the file of the Inspector of Police, H5, New Washermenpet Police station, Chennai 600 081, is quashed and the terms of Memo shall form part and parcel of this order. The petitioners shall pay a sum of Rs.500/- each (Rupees Five hundred 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.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rka

<https://hcservices.ecourts.gov.in/hcservices/>

To

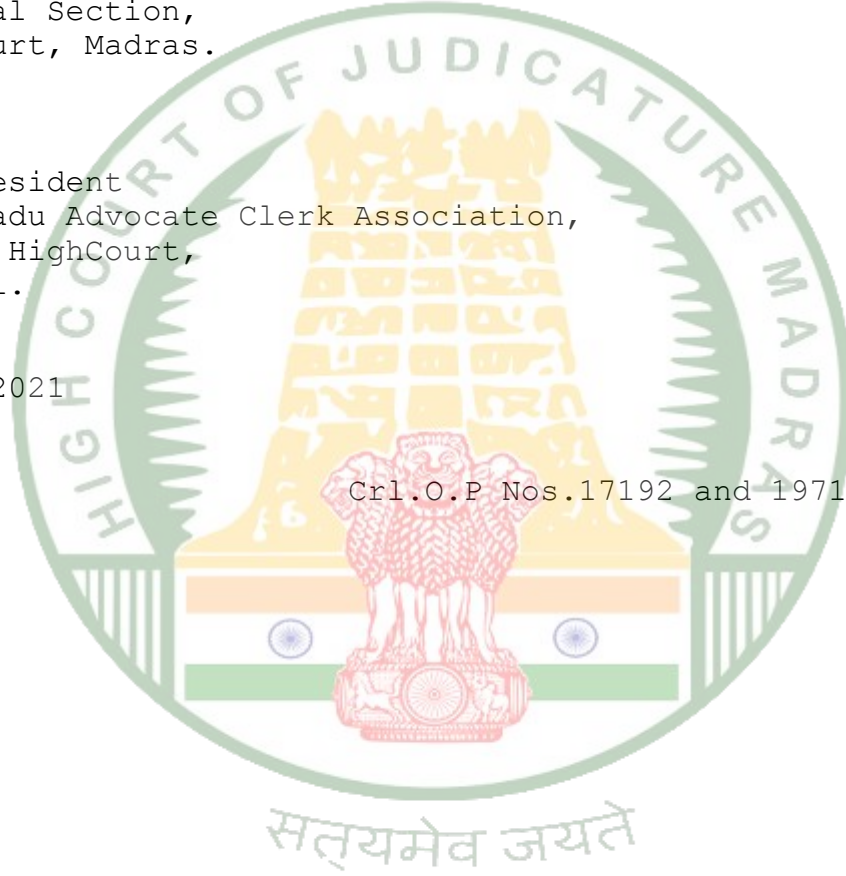
1. The State Rep. by  
The Inspector of Police,  
H5, New Washermenpet Police station,  
Chennai 600 081
2. The Public Prosecutor,  
High Court, Madras.
3. The Section Officer,  
Criminal Section,  
HighCourt, Madras.

Copy to

4. The President  
Tamilnadu Advocate Clerk Association,  
Madras HighCourt,  
Chennai.

LN(CO)  
SM/10/02/2021

CrI.O.P Nos.17192 and 19715 of 2020



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