

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 08.01.2021
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl.O.P No.17470 of 2020

1. E.Suresh
 2. Naresh Kumar @ Naresh
 3. Barath @ Vijay
- Petitioners/Accused 1, 2, 3

vs.

1. State of Tamil Nadu,
The Inspector of Police,
P-1, Puliyanthope Police Station,
Chennai - 600 012.1st Respondent/Complainant
2. Vignesh 2nd Respondents/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to FIR No.88 of 2020 on the file of 1st respondent police and quash the same.

For Petitioners: Mr.M.Mohammed Riyas

For Respondents: Mr.M.Mohammed Riyaz
Additional Public Prosecutor for R1
Mr.G.Vasudevan for R2

ORDER

The Criminal Original Petition has been filed to call for the records relating to FIR No.88 of 2020 on the file of 1st respondent police and quash the same.

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. A Joint Memo of Compromise dated 11.11.2020 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.C.Velu, Inspector of Police, P-1, Puliyanthope Police Station, Chennai. 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.88 of 2020. 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 Gujraht), 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 Crime No.88 of 2020 pending on the file of the Inspector of Police, P-1, Puliyanthope Police Station, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.88 of 2020, on the file of the Inspector of Police, pending, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1500/- (Rupees One Thousand and 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

ssr

ENCL: Xerox Copy of the Memo of Compromise.

To

1. The Inspector of Police,
P-1, Puliyanthope Police Station,
Chennai - 600 012.
- 2.The President,
Tamilnadu Advocates Clerk Association,
Madras High Court,
Chennai.
3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P No.17470 of 2020

SSN(CO)
GN(09/02/2021)

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