

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2021

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH  
Crl.OP.No.18556 of 2021  
and  
Crl.MP.No.7287 of 2020

1.V.Rajkumar  
2.M.Vinoth  
3.C.Deva @ Devadoss

...Petitioners/Accused 1 to 3

.Vs.

1.State through  
The Inspector of Police,  
B1 North Beach Police Station,  
Chennai.

..1<sup>st</sup> Respondent/  
Complainant

[Crime No.426 of 2019]

2.Mr.S.Kaja Moideen

..2<sup>nd</sup> Respondent/  
De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.426 of 2019, pending on the file of the 1st respondent police and quash the same.

For Petitioners: Mr.R.Ganesh Kumar  
For Respondents: Mr.M.Mohamed Riyaz  
Additional Public Prosecutor  
for R 1  
Mr.R.Anbu  
for R 2

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.426 of 2019, pending on the file of the 1<sup>st</sup> 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 Affidavit dated 19.01.2021 has been filed by the 2<sup>nd</sup> respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present before this Court and they were identified by Mr.Ponraj, H 44234, Chennai. 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 petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.426 of 2019. 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 CrI 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.426 of 2019, on the file of the 1<sup>st</sup> respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, investigation in Crime No.426 of 2019, on the file of the 1<sup>st</sup> respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioners shall pay a sum of Rs.2000/- (Rupees Two 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. Consequently, the connected miscellaneous petition is closed.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Inspector of Police,  
B1 North Beach Police Station,  
Chennai.

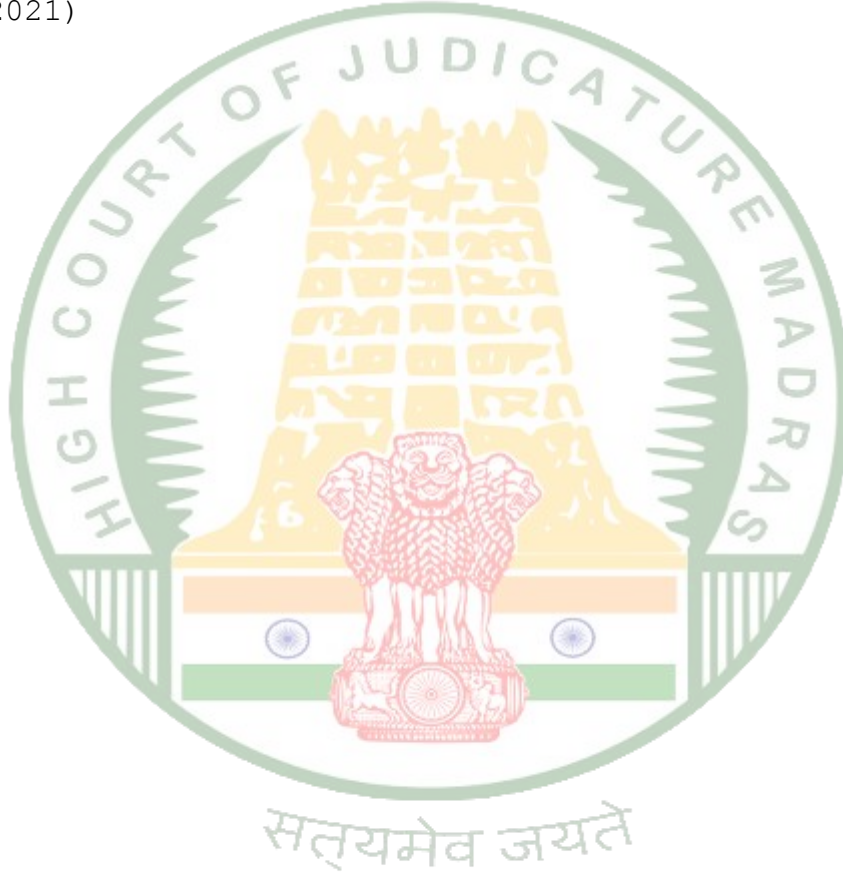
2.The Public Prosecutor,  
High Court, Madras.

3.The President  
Tamil Nadu Advocates Clerk Association  
Madras High Court, Madras 104.

+1 CC to Mr.R. Ganesh, Advocate sr 8591.

Crl.OP.No.18556 of 2020

SP (24/02/2021)



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