

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P No.18676 of 2020

1.Raja
2.Desapattu
3.Purushothmman ..Petitioners/Accused

Vs.

1.State rep.by
The Inspector of Police,
N-1, Royapuram Police Station,
Chennai - 13.

2.Desarani ..Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.4048 of 2020 filed by the respondent police, Chennai and to quash the same on the ground of compromise.

For Petitioners : Mr. R.C. Paul Kanagaraj
For Respondents : Mr. M. Mohamed Riyaz, for R1
Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed to call for the records relating to the Crime No.4048 of 2020 on the file of the first 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 joint affidavit of compromise dated 15.10.2020 have been filed by the parties before this Court. The petitioners and the second respondent were also present through Video conferencing and they were identified by Mr.Sukumar, Head Constable, N-1 Royapuram Police Station, Chennai, 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.4048 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 Gujrat), 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.4048 of 2020 pending on the file of the Inspector of Police, N-1, Royapuram Police Station, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.4049 of 2020, pending on the file of the Inspector of Police, N-1, Royapuram Police Station, Chennai, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioners shall pay a sum of Rs.1500/- (Rupees One Thousand 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.

* Xerox copy memo of compromise enclosed

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

AT

To

1.The Inspector of Police,
N-1, Royapuram Police Station, Chennai - 13.

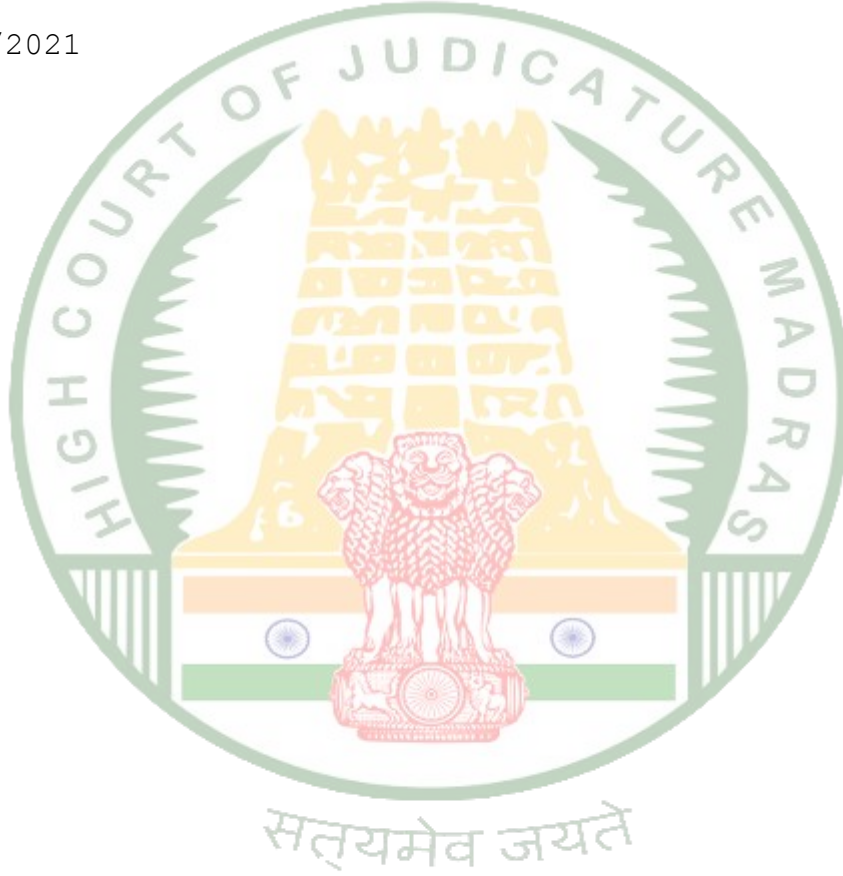
2.The Public Prosecutor,
High Court, Madras.

Copy to
The President,
Tamilnadu Advocate Clerk Association,
Madras High Court, Chennai.

+1cc to M/s.R.C.Paul Kamaraj, Advocate, SR.No.4734

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SR II (CO)
KKV/11/02/2021



WEB COPY