

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P No.18713 of 2020

1. Muruganantham
2. Manikandan
3. Murugapandiyan
4. Muthukumar

Petitioners

vs.

1. The Inspector of Police,
S1-St.Thomas Mount Police Station,
Chennai.

2. A.Asarudeen

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.271 of 2019 pending investigation on the file of 1st respondent and to quash the same.

For Petitioners: Mr.R.Thirumoorthy

For Respondents: Mr.M.Mohammed Riyaz

Additional Public Prosecutor for R1

Mr.A.Asarudeen for R2

ORDER

The Criminal Original Petition has been filed to call for the records in Crime No.271 of 2019 pending investigation on the file of 1st respondent and to 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 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 Mrs.Valarmathi, Inspector of Police, S1-St.Thomas Mount 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.271 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 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.271 of 2019 pending on the file of the Inspector of Police, S1-St.Thomas Mount Police Station, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.271 of 2019, 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.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.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Inspector of Police,
S1-St.Thomas Mount Police Station,
Chennai - 600 012.

2.The President Tamil Nadu Advocates Clerk Association,
Madras High Court, Chennai.

3. The Public Prosecutor,
High Court, Madras.

Crl.O.P No.18713 of 2020

AK (CO)
RMP (29/01/2021)



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