

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.21091 of 2020

1.S.Bragadish

2.M.Suriyakumar

3.V.Gokula Krishnan

4.P.Rajarajan

5.A.Praveen Kumar

6.M.Manoj Kumar

Petitioners/Accused 1 to 6

vs.

1. State of Tamil Nadu

Rep by The Inspector of Police,
H-3, Tondiarpet Police Station,
Chennai.

2. Dhinakaran

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the Crime No.4447 of 2020 pending on the file of the Respondent Police H-3, Tondiarpet Police Station Chennai and quash the same.

For Petitioners: Mr.Swarnam J. Rajagopalan

For Respondents: Mr.M.Mohammed Riyaz

Additional Public Prosecutor for R1

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ORDER

The Criminal Original Petition has been filed to call for the records in Crime No.4447 of 2020 pending on the file of the Inspector of Police, H-3, Tondiarpet Police Station, Chennai 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.

respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present through Video conferencing and they were identified by Ms.Suguna, Inspector of Police (in-charge), H-3, Tondiarpet 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.4447 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 CrL 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.4447 of 2020 pending on the file of the Inspector of Police, H-3, Tondiarpet Police Station, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.4447 of 2020, pending on the file of the Inspector of Police, H-3, Tondiarpet Police Station, Chennai, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.2500/- (Rupees Two 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

To

1. The Inspector of Police,
H-3, Tondiarpet Police Station,
Chennai.

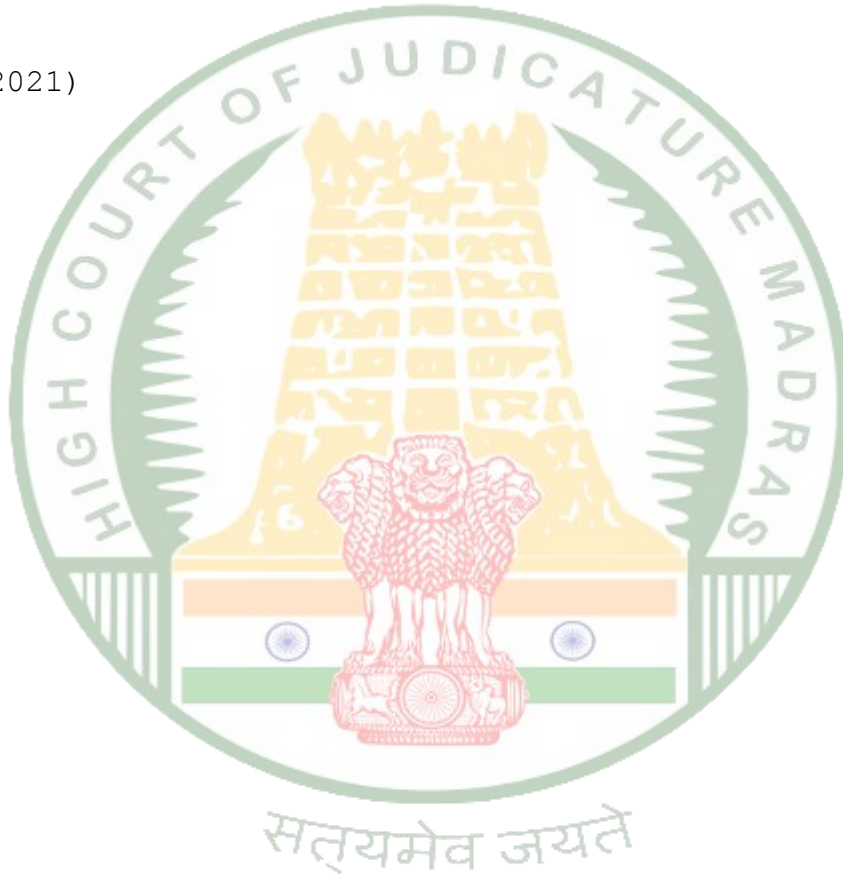
2.The President,
Tamilnadu Advocates Clerk Association,
Madras High Court, Chennai.

3. The Section Officer,
Criminal Section, High Court,
Madras.

4. The Public Prosecutor,
High Court, Madras.

Crl.O.P No.21091 of 2020

PVS (CO)
GN(01/02/2021)



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