

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P No.21090 of 2020

1. R.Mahalakshmi
2. S.Roop Chandar

Petitioners

vs.

1. The State Rep. by
The Inspector of Police,
H8, Thiruvottiyur Police Station,
Chennai.
(Crime No.5543 of 2020)

2. P.Magesh Kumar

Respondents/Complainant/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and to quash the First Information Report in Crime No.5543 of 2020 on the file of the Inspector of Police, H8, Thiruvottiyur Police Station, Chennai as against the petitioners.

For Petitioners : Mr.S.Arockiaraj
For Respondents : Mr.C.Raghavan
Government Advocate for R1

ORDER

The Criminal Original Petition has been filed to call for the records relating to the Crime No.5543 of 2020 on the file of the 1st 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 affidavit dated 21.12.2020 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present through Video conferencing and they were identified by Mr.Mohammed Irfan, Sub Inspector of Police, H8, Thiruvottiyur 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.5543 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.5543 of 2020 pending on the file of the Inspector of Police, H8, Thiruvottiyur Police Station, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.5543 of 2020, pending on the file of the Inspector of Police, H8, Thiruvottiyur 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.

Sd/-

Assistant Registrar

//True Copy//

ssr

Sub Assistant Registrar

To

1. The Inspector of Police,
H8, Thiruvottiyur Police Station,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

Copy to

1. The President,
Tamil Nadu Advocate Clerk Association,
Madras, High Court, Chennai.

2. The Section Officer,
Criminal Section,
High Court, Madras-104.

+1cc to Mr.S.Arockiaraj, Advocate, S.R.No.2526

Cr1.O.P No.21090 of 2020

(CO)
rv(05/02/2021)



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