



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.03.2021

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THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.Nos.19694 of 2017 and 4252 & 4349 of 2021
and Crl.MP.No.11878 of 2017

Crl.O.P.No.19694 of 2017:

1. B.Jayaraman
2. J.Amsaveni ..Petitioners
Vs.

1. The Inspector of Police,
J 12 Kanathur Police Station,
East Coast Road,
Kanathur,
Chennai-112.

2. Prabhakar Naidu ..Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.941 of 2016 dated 13.07.2016 on the file of the first respondent and quash the same as against the petitioners.

For Petitioners : Mr.M.Arokiaraj
For Respondents : Mr.C.Raghavan, R1
Government Advocate

Crl.O.P.No.4252 of 2021:

V.Anandraj ..Petitioner
Vs.

1. The Inspector of Police,
Central Crime Branch,
St. Thomas Mount,
Chennai.

2. B.Jayaraman
3. Gurupadham
4. R.Vijayakumar ..Respondents



WEB COPY

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records and quash the charge sheet filed against the petitioner in CC.No.189 of 2012 on the file of the learned Judicial Magistrate, Alandur.

For Petitioner : Mr.T.Karunakaran
For Respondents : Mr.C.Raghavan, R1
Government Advocate

Cr1.O.P.No.4349 of 2021:

1.B.Jayaraman
2.Amsaveni

Petitioners

Vs.

1. The Inspector of Police,
Central Crime Branch,
St. Thomas Mount,
Chennai.

2. V.Anandraj

3. Gurupadham

4. Eswaran

5. Varadharajan

..Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records and quash the charge sheet filed against the first and second petitioner in CC.No.5810 of 2007 pending on the file of the learned V Metropolitan Magistrate, Egmore and to quash the same.

For Petitioners : Mr.M.Arokiaraj

For Respondents : Mr.C.Raghavan, R1
Government Advocate

COMMON ORDER

These Criminal Original Petitions have been filed to quash the FIR in Crime No.941 of 2016, pending on the file of the Inspector of Police, J-12, East Coast Road, Kanathur, Chennai and the proceedings in CC.No.189 of 2021, on the file of the learned Judicial Magistrate, Alandur and the proceedings in CC.No.5810 of 2007, on the file of the learned V Metropolitan Magistrate, Egmore, Chennai, respectively.



2. The cases are 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 memo of compromise dated 28.07.2018 filed in the suit in OS.No.179 of 2003 on the file of the District Munsif Court, Alandur. The both the parties were also present before this Court at the time of hearing and they were identified by Mr. Ramesh, Inspector of Police, Central Crime Branch, St.Thomas Mount, 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 joint memo of compromise, it has been stated that the parties have entered into a compromise and amicably settled their issues in FIR in Crime No.941 of 2016, pending on the file of the Inspector of Police, J-12, East Coast Road, Kanathur, Chennai and the proceedings in CC.No.189 of 2021, on the file of the learned Judicial Magistrate, Alandur and the proceedings in CC.No.5810 of 2007, on the file of the learned V Metropolitan Magistrate, Egmore, Chennai, respectively. 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.941 of 2016, pending on the file of the Inspector of Police, J-12, East Coast Road, Kanathur, Chennai and the proceedings in CC.No.189 of 2021, on the file of the learned Judicial Magistrate, Alandur and the proceedings in CC.No.5810 of 2007, on the file of the learned V Metropolitan Magistrate, Egmore, Chennai, respectively.

5. These Criminal Original Petitions stand allowed and as a sequel, the FIR the FIR in Crime No.941 of 2016, pending on the file of the Inspector of Police, J-12, East Coast Road, Kanathur, Chennai and the proceedings in CC.No.189 of 2021, on the file of the learned Judicial Magistrate, Alandur and the proceedings in CC.No.5810 of 2007, on the file of the learned V Metropolitan Magistrate, Egmore, Chennai, are quashed and the terms of the joint memo of compromise shall form part and parcel of this order. [The petitioners in Cr1.O.P.Nos.19694 of 2017 and 4252 & 4349 of 2021 shall pay a sum of Rs.5,000/- (Rupees



Five thousand only) each as costs, to the credit 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, connected miscellaneous petition is closed.

*Xerox copy of Joint Memo of Compromise enclosed

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
J 12 Kanathur Police Station,
East Coast Road,
Kanathur,
Chennai-112.

2. The Inspector of Police,
Central Crime Branch,
St. Thomas Mount,
Chennai.

3. The Judicial Magistrate, Alandur.

4. The V Metropolitan Magistrate, Egmore, Chennai.

5. The Public Prosecutor, High Court of Madras.

+5cc to Mr.T.Karunakaran, Advocate, S.R.No.14910,14909,14908

+3cc to Mr.Ajay Kumar, Advocate, S.R.No.14363,14362,14361

Crl.O.P.Nos.19694 of 2017
and 4252 & 4349 of 2021
and Crl.MP.No.11878 of 2017

PCH(CO)
KKV/29/07/2021