



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.2938 of 2022

1. G.Jayaraman
2. J.Mageshwari @ Maheshwari
3. Yogaraj
4. Manjula ... Petitioners/Accused

Vs.

1. The Inspector of Police,
Rajamangalam Police Station,
Chennai. ... 1st Respondent/Complainant
2. Ravi,
S/o.Ganapathy,
Chennai. ... 2nd Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition is filed under Section 482 of Cr.P.C, praying to call for records and quash the FIR in Crime No.1021 of 2018 dated 28.12.2018 on the file of the Inspector of Police, Rajamangalam Police Station, Chennai in respect of the Petitioners/Accused are concerned.

For Petitioners : Mr.R.Tamil Selvan

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor.

O R D E R

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.1021 of 2018 dated 28.12.2018, on the file of the Inspector of police, for the offences punishable under Sections 341, 294(b), 324 and 355 of IPC.

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.



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3. A Joint Memo of Compromise has been filed before this Court, which have been signed by the petitioners and the second respondent and also by their respective counsel. The relevant portion of the Joint Memorandum of Compromise is extracted hereinbelow:-

'1. It is respectfully submitted that the 2nd respondent herein is the defacto complainant in Crime No.1021 of 2018 on the file of Inspector of Police, Rajamangalam Police Station, Chennai.

2. The case of the prosecution is that on 25.12.2018 at about 9.30 pm the petitioner along with 3 others abused the defacto complainant with filthy language and attacked with cheppal, groom and wooden log. This is complaint.

3. It is respectfully submitted that subsequently the defacto complaint lodged a complaint before the respondent police and the 1st respondent registered FIR U/s. 341, 294(b), 324 and 355 of IPC in Crime No.1021 of 2018 on 28.12.2018.

4. It is respectfully submitted that the petitioners and defacto complainant are family members elders and they are amicably settled out their issues out of court and compromised without any coercion or compulsion and accordingly the 2nd respondent decided to withdraw his complaint in Crime No.1021 of 2018 pending on the file of the 1st respondent police.

5. It is respectfully submitted that the 2nd respondent/defacto complainant has no objection to entertain this petition and to quash the proceedings in Crime No.1021 of 2018 pending on the file of Inspector of Police, Rajamangalam Police Station, Chennai.

6. It is respectfully submitted that the petitioners/accused and the 2nd respondent/defacto complainant entered into this memorandum of joint compromise with free consent and well aware of the consequences there upon.'

4. The Petitioners and the second respondent were also present in person before this Court and they were identified by their respective counsel. This Court also enquired both the



parties and was satisfied that the parties have come to an amicable settlement between themselves.

5. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending. 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), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No. 360 of 2019.

6. Petitioners are directed to pay a sum of Rs.5000/- each as costs to the Credit of the Tamil Nadu Advocate Clerks Association and produce the receipt.

7. Recording the above joint memorandum of compromise filed by both the parties, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.1021 of 2018, on the file of the first respondent police, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

* Xerox copy of the Joint Compromise Memo is enclosed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rgm/mrn

To

1. The Inspector of Police,
Rajamangalam Police Station,
Chennai.
2. The Public Prosecutor,
High Court of Madras.

Copy to:

1. The Presiding Officer,
Tamil Nadu Advocate Clerks Association,
Welfare Fund, High Court, Madras.



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

WEB COPY

+1cc to Mr.P.Veera Narayanan, Advocate, S.R.No.10556

Cr1.O.P.No.2938 of 2022

GPL (CO)
SU (14/03/2022)