



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.5424 of 2022

and

Crl.M.P.No.2954 of 2022

1. Mohamed Nasar
2. Mohamed Farith

... Petitioners/ Accused 1 & 2

Vs.

1. The State by Inspector of Police,
Thiruvarur Town Police Station,
Thiruvarur.

... Respondent/Complainant

- 2.Nijamali

... 2nd Respondent/Defacto
Complainant

PRAYER: This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to FIR in Crime No.1732 of 2020 on the file of Inspector of Police, Thiruvarur Town Police Station, Thiruvarur, and quash the same as abuse of process.

For Petitioners : Mr.C.Ganesh Pandian

For R1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor.

For R2 : No appearance

O R D E R

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.1732 of 2020, on the file of the respondent police, for the offences punishable under Sections 294(b), 323, 506(2) of IPC, 1860.

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 Compromise affidavit has been filed before this Court, which have been signed by the deponent and his Counsel. 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 parties of both side 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. 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No. 1296 of 2021.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.1732 of 2020 on the file of the first respondent police, is quashed and the Compromise Affidavit shall form part and parcel of this order. Consequently, the connected miscellaneous petition is closed.

Xerox copy of the Compromise Affidavit enclosed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

nti/nr

To

1. The Inspector of Police,
Thiruvarur Town Police Station,
Thiruvarur.

2. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.C.Ganesh Pandian, Advocate, S.R.No.17959

Cr1.O.P.No.5424 of 2022

GPL(CO)
CT 21/04/2022