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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2022

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.No.4742 of 2022

1. Deepak @ Deepak Kumar,
S/o.Sathiyaseelan
2. K.Kalaiarasan,
S/o.R.Kumar
3. R.Gokulraj,
S/o.Raja
4. Kullu @ Rajesh @ Rakeshkannan,
S/o.Gopikrishnan
5. Appu @ Rajeshkannan,
S/o.Gopikrishnan
6. M.Dinakaran,
S/o.Murugesan
7. P.Suryaprakash,
S/o.Prithiv Raj

...Petitioners

Vs

State Represented by

1. The Inspector of Police,
Thirumangalam Police Station,
Chennai District.
(Crime No.378 of 2019)

2. Idayachandran,
S/o.Ranganathan

...Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.378 of 2019 pending on the file of the first respondent to quash the same in view of the compromise entered into both parties.



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For Petitioners : Mr.P.Muthamizhselvakumar
For Respondents :
For R1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor
For R2 : No appearance

ORDER

This Criminal Original Petition has been filed, to call for the records in Crime No.378 of 2019 pending on the file of the first respondent, to quash the same in view of the compromise entered into both parties.

2.The case of the prosecution is that on the date of occurrence i.e., on 27.10.2019, the petitioners came to the house of the second respondent/defacto complainant and attacked the second respondent/defacto complainant's house, auto, car and abused his wife and her sister. Thereafter, the second respondent/defacto complainant lodged a complaint before the first respondent and a case in Crime No.378 of 2019 was registered against the petitioners for the offences under Sections 147, 148, 336, 323, 506(2) of IPC and Section 3 of the Tamil Nadu Public Property (Prevention of Damage & Loss) Act, 1992. Hence, the case.

3.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.

4.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 the learned counsel for the petitioners. The petitioners and the second respondent were also present in person before this Court and they were identified by Mrs.S.Muniammal, the Sub Inspector of Police, Thirumangalam Police Station, Chennai. 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, 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), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the First Information Report in Crime No.378 of 2019.



6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.378 of 2019, 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
enclosed herewith

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

arb

To

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

Cr1.O.P.No.4742 of 2022

SSV(CO)
RGA(18/03/2022)