



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2022

WEB COPY

CORAM

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

CRL.O.P.No.7240 of 2022

1. Saravanan

2. Suresh

3. A.Leon Victor

... Petitioners

Vs

1. The State rep. by

Inspector of Police

G-5, Secretariat Colony Police Station,
Chennai.

2. Anthony

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the FIR in Crime No.264 of 2021 on the file of the 1st respondent police and quash the same.

For Petitioners : Mr.U.Kathiravan

For Respondents : Mr.A.Gokulakrishnan

Additional Public Prosecutor for R1

ORDER

The Criminal Original Petition has been filed to call for the records in Crime No.264 of 2021 pending on the file of the 1st respondent police and quash the same.

2.The case is under trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3.A Memorandum of Understanding has been filed before this Court, which have been signed by the petitioner and the second respondent/defacto complainant and also by their respective counsels. The petitioner and the second respondent were also present before this Court and they were identified by the first respondent. This Court also enquired both the parties



and satisfied that the parties have come to an amicable settlement between themselves. Memorandum of Compromise is extracted hereunder:-

"1. It is submitted that the 1st respondent police has registered the case as against the petitioners in Crime No.264 of 2021, for the offence under Section 341, 294(b), 323, 324, 506(ii) of IPC and pending investigation by the 1st respondent police.

2. It is pertinent to mention that the petitioners/accused and the 2nd respondent defacto complainant knows each other's very well and they are residing in the same locality. It is submitted that after filing the above criminal case, the well wishers of both the families and family elders advised both the parties that in the interest of maintaining peace and harmony in the locality and accordingly both parties have compromised themselves. Hence it is just and necessary to file this compromise memo before this Hon'ble Court and record the same and the Hon'ble Court may be pleased to dispose of the above Criminal Original Petition. Hence the above may kindly be recorded."

4. Under such circumstances, no useful purpose will be served in keeping the proceedings in Crime No.264 of 2021 pending, further, the offences involved are 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. quash the proceedings in Crime No.264 of 2021.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.264 of 2021 on the file of the first respondent police is quashed and the Compromise Memo filed by both the parties shall form part and parcel of this order. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

ENCL: Xerox Copy of Joint
Compromise dated 24/03/2022

kmm



To

1. The Inspector of Police
G-5, Secretariat Colony Police Station,
Chennai.

2. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.U.Kathiravan, Advocate SR.No.21831

CRL.O.P.No.7240 of 2022

RSV(CO)
GN(02/06/2022)