



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.7800 of 2022

Vishvanathan

... Petitioner

Vs.

1. State rep by the
The Sub Inspector of Police,
Kannamangalam Police Station,
Thiruvannamalai District.
(Crime No.89 of 2022)

2. Subramani

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records relating to the case in Crime No.89 of 2022 on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.R.Sasikumar

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

O R D E R

The Criminal Original Petition has been filed to quash the First Information Report in Crime No. 89 of 2022 on the file of the respondent Police, for the offences punishable under Sections 294(b), 323, 427 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.

3.A Joint Memo of Compromise has been filed before this Court, which have been signed by the petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by the respondent Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The Compromise Memo dated 28.03.2022 is extracted hereunder :-



WEB COPY

'2.It is humbly submit that during the pendency of the trial the petitioners and the 2nd respondent arrived an amicable settlement between them through advice of the village elders.

3.It is humbly submit that during the pendency of they arrived an amicable settlement considering their peaceful and future life of both the parties and the 2nd respondent herein agreed to withdraw the case which was pending in Crime No.89 of 2022 against the petitioner.

4.It is humbly submit that as per the amicable settlement the 2nd respondent herien agreed to join the prayer of the petitioners for quashing the FIR in Crime No.89 of 2022 on the file of the 2nd respondent Police.

5.It is humbly submit that the entire matter was amicable settled between the parties. Hence, the 2nd respondent herein on his own willingness agreed to withdraw the complaint in the above Crime No.89 of 2022 on the file of the 1st respondent Police and by quashing the FIR no prejudice would be caused to any of the parties.'

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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No. 89 of 2022.

5.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No. 89 of 2022 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 Memo of Compromise enclosed

Sd/-
Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

vkr/nti



To

1. The Sub Inspector of Police,
Kannamangalam Police Station,
Thiruvannamalai District.

2. The Public Prosecutor,
High Court of Madras.

+lcc to Mr.R.Sasi Kumar, Advocate SR.No.25850

Crl.O.P.No.7800 of 2022

PMK (CO)
GMY (26/04/2022)