



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.9944 of 2022

1. Yusuf Mohammed
 2. Bala ... Petitioners/Accused 1 & 2
- Vs
1. State rep. By,
The Inspector of Police (L&O),
Koyambedu Police Station,
Chennai. (Cr.No.1261 of 2021) ... Respondent/Complainant
 2. Deepak ...2nd Respondent/Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records and quash the FIR in Crime No.1261 of 2021 pending on the file of the K10-Koyambedu Police Station, Chennai.

For Petitioners : Mr.D.Ashok Kumar
For R1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

This petition has been filed to call for the records and quash the FIR in Crime No.1261 of 2021 registered for the offences under Sections 341 and 392 of IPC, pending on the file of the K10- Koyambedu Police Station, Chennai.

2. As the parties have decided to compromise the dispute amicably among themselves, they have filed the present petition for compounding the offence as the allegations in the FIR appears to be artificial and the defacto complainant is also decided not to proceed with the case. They have also filed a Joint Memo of compromise before this Court for the same.

3.The petitioners and the defacto complainant are present before this Court today and they are also identified by Mr.D.Krishnan, Sub-Inspector of Police, K10-Koyambedu Police Station, Chennai, who is also present at the time of hearing. In order to identify the respective parties, they have also



produced the copies of the Aadhaar Card and it is made part of the record. In the petition, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.1261 of 2021. This Court also enquired both the parties 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, 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), and after exercising due caution as advised by the Hon'ble Supreme Court in The State of Madhya Pradesh v. Dhruv Gurjar and Another reported in (2019) 2 MLJ Cr1 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. is inclined to quash the case in Crime No.1261 of 2021 on the file of the 1st respondent is quashed.

5. Accordingly, this Criminal Original Petition is allowed and the First Information Report registered in Crime No.1261 of 2021 against the petitioners on the file of the 1st respondent is quashed.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

rgi/ham

To

1. The Inspector of Police (L&O),
Koyambedu Police Station, Chennai.

2.The Sub Inspector of Police,
K-10 Koyambedu Police Station,
Chennai.

3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.D.Ashok Kumar, Advocate SR.No.37900

Cr1.O.P.No.9944 of 2022

PMK(CO)
GN(01/07/2022)