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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.05.2022

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.NO.10245 OF 2022

1. Frangling M.S.Santhi
Wife of Jayaraj
 2. Yesuraja
S/o.S.Selvadhasan Soosaimariyan
 3. Antony ARasan
Son of Jayaraj
 4. Andrew Arun
Son of Jayaraj
- ... Petitioners

.Vs.

1. The State,
Rep. by its Inspector of Police,
Thiruvottiyur Police Station,
Washermenpet, Chennai.
 2. Jayaraj
Son of Thanganadar.
- ... Respondents

PRAYER:-

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to Crime No.281 of 2022 pending on the file of the 1st respondent and quash the same by allowing the present criminal original petition.

For Petitioners : Mr.R.Jayaprakash

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
For R1



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Mr.S.Suganth Sam Abraham
For R2

O R D E R

The Criminal Original Petition has been filed to quash the FIR in Crime No.281 of 2022, pending on the file of the 1st respondent.

2. The case is still at the stage of investigation. The parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. The Affidavit dated 16.05.2022 has been filed by the 2nd respondent/de facto complainant before this Court. 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 affidavit, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.281 of 2022. 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 Gujrat), 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. quashes the First Information Report in Crime No.281 of 2022, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.281 of 2022, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. [The petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) as costs, to the credit President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157), within a period of one week from the date of receipt of a copy of this



order and file a photocopy of the receipt along with a memo reporting compliance in the Registry].

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Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Thiruvottiyur Police Station
Washermenpet, Chennai.
2. The Public Prosecutor,
High Court, Madras.
3. The President,
The Tamil Nadu Advocates Clerk Association,
Madras High Court,
Chennai.

+2ccs to Mr.R.Jayaprakash, Advocate, S.R.No.31615
+1cc to Mr.S.Suganth Sam Abraham, Advocate, S.R.No.31643

CRL.O.P.NO.10245 OF 2022

JPL(CO)
PBS/20/05/2022