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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Cr1.O.P.No.14061 of 2022

1. S.Silamparasan

2. Karthikumar

... Petitioners

Vs.

1. The State represented by,
The Inspector of Police,
B1 Dharmapuri Police Station,
Dharmapuri District.
(Crime No.140 of 2022)

2. Sathyan

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., pleased to call for the records pertaining to the above FIR in Crime No.140 of 2022 on the file of the 1st respondent police, and quash the same as illegal.

For Petitioners : Mr.M.Dinesh

For R1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.140 of 2022 on the file of the 1st respondent police registered against the petitioners for the alleged offences under Sections 294(b), 323, 324 and 506(ii) of IPC.

2. As the parties have decided to compromise the dispute amicably among themselves, they have filed the present petition to quash the proceedings in view of the compromise entered between the parties and for the same, they have also filed the joint memo of compromise before this Court.



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3. The petitioners and the second respondent/de-facto complainant are present before this Court and they were identified by Mr.C.Selvam, Special Sub Inspector of Police, B1 Dharmapuri Police Station, Dharmapuri District, 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.140 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 some of its 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 First Information Report in Crime No.140 of 2022 on the file of the first respondent Police.

5. Accordingly, this Criminal Original Petition stands allowed and the First Information Report in Crime No.140 of 2022 on the file of the first respondent Police stands quashed and the joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

ENCL Xerox Copy of Compromise Memo enclosed.

ham/rgi

To

1. The Inspector of Police,
B1 Dharmapuri Police Station,
Dharmapuri District.



2. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.M.Dinesh, Advocate SR.No.37934

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SKM(CO)
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