



Crl.O.P.No.15216 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 04.07.2022

Coram:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.15216 of 2022

and

CrL.M.P.No.8519 of 2022

1. Babu
2. Santhi @ Sivasanthi ... Petitioners

Vs.

1. State by
The Inspector of Police
M5-Ennore Police Station
Chennai District
Crime No.868 of 2021

2. Suresh ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, seeking to call for the records in Crime No.868 of 2021 pending on the file of the Inspector of Police, M5-Ennore Police Station, Chennai District and quash the FIR pending against the petitioners.

For Petitioners : Mr.S.Silambuselvan
For Respondent-1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor
For Respondent-2 : Mr.Thirumoorthy



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ORDER

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2. The learned counsel for the petitioners and the learned Counsel for the 2nd respondent would submit that the parties have settled the issue amicably between themselves.

3. Today (04.07.2022) both the petitioners and the defacto complainant were present before this Court and they were identified by their respective counsel. The defacto complainant submitted that he is not interested to proceed further as they have settled the issue amicably between themselves and he has also filed an affidavit dated 22.06.2022 to that effect.

4. Heard the learned Additional Public Prosecutor appearing for the respondent police.



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5. Now the case is under investigation. By passage of time, the parties have decided to bury their hatchet and compromised the dispute amicably among themselves and an affidavit has also been filed before this Court to that effect by the 2nd respondent/defacto complainant.

6. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. Further, the entire allegation involved in this case is some money transaction and continuing the prosecution will serve no purpose or make any impact in the Society.

7. Under such circumstances, no useful purpose will be served in keeping the proceedings in Crime No.868 of 2021 pending, even though, the offence involve is 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 proceedings against the petitioners in Crime No.868 of 2021 on the file of the 1st respondent police. The affidavit filed by the 2nd



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respondent/defacto complainant dated 22.06.2022 shall form part and parcel of

this order.

8. Accordingly, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

04.07.2022

Index : Yes
Internet : Yes
Speaking Order
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WEB COPY

- To
1. The Inspector of Police
M5-Ennore Police Station
Chennai District
 - 2.The Public Prosecutor
High Court, Madras.



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