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Crl.O.P.No.23475 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.23475 of 2022

Benze Saravanan @ Saravanan

...Petitioner

Vs.

1. The State represented by
The Inspector of Police,
Viruthachalam Police Station,
Cuddalore District.
Crime No.919 of 2015.

2. B.Baskar

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in Crime No.919 of 2015 pending on the file of the first respondent and to quash the same in view of the compromise entered into both parties and pass further or other orders as this Hon'ble Court may deem fit and proper in the fact and circumstances of the case.

For Petitioner : Mr.P.Muthamizhselvakumar

For R1 : Mr.S.Santhosh
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.919 of 2015, on the file of the first respondent.

2. The case is still in 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. All the parties are present and identified by their respective counsel and the Police. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card are made part of the record. 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 @**



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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.919 of 2015.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.919 of 2015 dated 20.11.2022, on the file of the first respondent is quashed and the terms of Joint Memo of Compromise dated 10.09.2022 shall form part and parcel of this Order. The petitioner shall pay a sum of Rs.10,000/-, (Rupees Ten Thousand only) as costs, to the Chief Justice Relief Fund, Tamil Nadu, 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.

28.11.2022

Internet: Yes
Index : Yes/No
mn



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G.K.ILANTHIRAIYAN. J.

mn

To

1. The Inspector of Police,
Viruthachalam Police Station,
Cuddalore District.
2. The Public Prosecutor,
High Court,
Madras.

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28.11.2022