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Crl.O.P.No.22556 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:19.09.2022

CORAM:

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

Crl.O.P.No.22556 of 2022

1.Mohan Kumar
2.Murugan

...Petitioners

-Vs-

1.The State rep by
Inspector of Police,
Mecheri Police Station,
Salem District,
Crime No.327 of 2017

2. Latha

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the case in Crime No.327 of 2017 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.K.Thenrajan

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



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ORDER

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This Criminal Original Petition has been filed to call for the records pertaining to the case in Crime No.327 of 2017 on the file of the 1st respondent and quash the same.

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 petitioners and the second respondent and also by their respective counsel. 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



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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)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.327 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.327 of 2017, on the file of the Inspector of Police, Mecheri Police Station, Salem District, is hereby quashed and the terms of Joint Memo of Compromise shall form part and parcel of this Order. Each of the petitioners 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.

6. In view of the compromise entered between the parties, for



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damages caused to the TASMAL Shop to the tune of Rs.1,88,800/- by the petitioners and the counter party, the parties have deposited a sum of Rs.1,88,800/- to the credit of TASMAL in Current Account No.30949864958 for Shop No.7412, Salem District and the petitioners are permitted to withdraw the said amount by filing appropriate petition before the learned Magistrate.

19.09.2022

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

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To

1. The Inspector of Police,
Mecheri Police Station,
Salem District,

2. The Public Prosecutor
Madras High Court.



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G.K.ILANTHIRAIYAN. J.

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