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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.Nos.25647 & 25655 of 2022

Crl.O.P.No.25647 of 2022

1.T.Valviloori

2.A.Seeni

...

Petitioners

versus

1.The State Rep. by
The Inspector of Police,
Sendhamangalam Police Station,
Namakkal District.
(Crime No.144 of 2022)

2.D.Premkumar

...

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the entire records in Crime No.144 of 2022, pending on the file of the first respondent police and quash the same by allowing this petition.



Crl.O.P.No.25655 of 2022

- 1.Rajkumar @ Raj Gounder
- 2.M.Ravikumar
- 3.Kavinkumar
- 4.S.Ajithkumar @ Harikumar
- 5.D.Premkumar
- 6.S.Arulmurugan @ Arunkumar
- 7.J.Thangamani
- 8.S.Sathishkumar

...

Petitioners

versus

- 1.The State Rep. by
The Inspector of Police,
Sendhamangalam Police Station,
Namakkal.
(Crime No.145 of 2022)

- 2.S.Gunasekaran

...

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the entire records in Crime No.145 of 2022, pending on the file of the first respondent police and quash the same by allowing this petition.

For Petitioners : M/s.MA.P.Thangavel
[in both Crl.O.Ps]

For Respondent No.1 : Mr.E.Raj Thilak
[in both Crl.O.Ps] Additional Public Prosecutor



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COMMON ORDER

These Criminal Original Petitions have been filed to quash the First Information Reports in Crime Nos.144 and 145 of 2022 pending on the file of the first respondent police, for the offences under sections 147, 148, 427, 323, 341, 294(b), 324, 506(2) of IPC, Section 3(1)(s), 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and Section 3(1) of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, 1992 respectively.

2. As the parties have decided to compromise the dispute amicably among themselves, they have filed the present petitions to quash the First Information Reports, in view of the compromise entered between the parties.

3. A Joint Memo of Compromise has been filed before this Court, which has been signed by the petitioner and the second respondent / *de facto* complainant. The petitioners and the second respondent are present before this Court and they were identified by Mr.R.Ulaganathan, Special Sub-Inspector of Police(1150), Sendamangalam Police Station, Namakkal



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 joint compromise and amicably settled their issues in Crime Nos.144 and 145 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 Reports pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court in ***Parbathbhai Aahir @ Parbathbhai vs. State of Gujrath*** reported in ***(2017) 9 SCC 641*** and after exercising due caution as advised by the Hon'ble Supreme Court in ***The State of Madhya Pradesh vs. Dhruv Gurjar and Another*** reported in ***(2019) 2 MLJ Crl 10***, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. is inclined to quash the First Information Reports in Crime Nos.144 and 145 of 2022 on the file of the first respondent police.



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5. Accordingly, these Criminal Original Petitions are allowed and the First Information Reports in Crime Nos.144 and 145 of 2022 on the file of the first respondent police, are quashed. The terms of Joint Compromise Memo shall form part and parcel of this order.

27.10.2022

Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes

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To

1.The State Rep. by
The Inspector of Police,
Sendhamangalam Police Station,
Namakkal District.

2. The Public Prosecutor,
High Court of Madras,
Chennai.



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V.SIVAGNANAM, J.

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27.10.2022