



CrI.O.P No.27184 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2022

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

**CRL.O.P NO.27184 OF 2022**

1.Kanagaraj  
2.Anand  
3.Chiinraj  
4.Kala

...

Petitioners

**Vs.**

1. State represented by  
The Inspector of Police,  
Vaazhapadi Police Station,  
Salem District.  
(Crime No.54/2018)

...

1<sup>st</sup> respondent

2. Rajasekar

...

2<sup>nd</sup> Respondent/

**PRAYER:** Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records and quash the final report filed in CC.No.74/2022 in Crime No.54/2018 dated 10.06.2022 pending on the file of the District Munsif Cum Judicial Magistrate Vazhapadi.

For Petitioners : Mr.N.Umapathi

For Respondent-1 : Mr. S.Santhosh

Government Advocate (crl.side)



CrI.O.P No.27184 of 2022

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**ORDER**

This Criminal Original Petition has been filed to call for the records and quash the final report filed in CC.No.74/2022 in Crime No.54/2018 dated 10.06.2022 pending on the file of the District Munsif Cum Judicial Magistrate, Vazhapadi.

2. The *defacto* complainant is the neighbouring land owner of the petitioners / accused 1 to 4 and they used to maintain a good relationship. There is a dispute between the parties with regard to a pathway. The *defacto* complainant and the petitioners have stated that they have worked out a compromise between themselves.

3. The *defacto* complainant and the petitioners are present today and agreed that they have settled the dispute. The petitioners and the *defacto* complainant were identified by Mr.T.Settu, Special Sub Inspector of Police, Valapady Police Station, Salem. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



CrI.O.P No.27184 of 2022

4. A Joint Memo of Compromise dated 24.11.2022 has also filed.

The defacto complainant has stated that she does not want to pursue the matter further.

5. Considering their long standing relationship and their efforts to purchase peace and there is no previous criminal antecedents for the petitioners, I feel it is appropriate to record the compromise. In 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 @ Parbathbhai Vs. State of Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. is inclined to quash the further proceedings final report pending on the file of the learned District Munsif Cum Judicial Magistrate, Vazhapadi.



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CrI.O.P No.27184 of 2022

**R.N.MANJULA, J.**

*jrs*

This Criminal Original Petition stands **allowed** and as a sequel, the proceedings in CC.No.74 of 2022 in Crime No.54 of 2018 pending on the file of the learned District Munsif Cum Judicial Magistrate, Vazhapadi is quashed.

**24.11.2022**

Index : Yes/No  
Speaking Order : Yes / No  
jrs

To:

1. The District Munsif Cum Judicial Magistrate,  
Vazhapadi.
2. The Public Prosecutor,  
Madras High Court.

**CRL.O.P NO.27184 OF 2022**