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Crl.O.P.No.26882 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2022

CORAM:

THE HONOURABLE MS JUSTICE R.N.MANJULA

Crl.O.P.No.26882 of 2022

1.K. Pradeep
2.R. Balavignesh
3.M.M. Vignesh
4.M. Ajithkumar

... Petitioners

Vs.

1.The State, Represented by
The Inspector of Police,
R10, MGR Nagar Police Station,
Chennai – 600 083.
(Crime No.325 of 2022)

2.A. Sathish

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, to call for the records in Crime No.325 of 2022 on the file of the 1st respondent and quash the entire proceedings against the petitioners.



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For Petitioners : Mr. K.S. Harish
For Respondents : Mr. E. Raj Thilak, for R1
Additional Public Prosecutor
Mr.A.Sathish, for R2
Party-in person

ORDER

This Criminal Original Petition has been filed to call for the records in Crime No.325 of 2022 pending on the file of first respondent police and quash the same.

2. Heard Mr. K.S. Harish, learned counsel for the petitioners and Mr.E.Raj Thilak, learned Additional Public Prosecutor appearing for the first respondent and the second respondent, Mr.A.Sathish, party-in-person.

3. A Joint Memo of Compromise has been filed before this Court which has been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent are also present before this Court and they are identified by Mr.S.Sasivarnam,881, R10, MGR Nagar Police Station, Chennai. In order to identify the respective parties, they have also produced the copies of the



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Aadhaar Card and it is made part of the record.

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4. When the matter is taken up today, the learned counsel for the petitioners submitted that the defacto complainant who is the injured and the petitioners who are the accused, have compromised the matter between themselves and they also filed joint compromise memo in this regard. Hence, the FIR should be quashed as compromise.

5. The defacto complainant/second respondent has stated that he had accepted the terms of compromise without any coercion or threat.

6. The injured, defacto complainant and the third petitioner are friends. The other petitioners are friends of the 3rd petitioner. They have stated that the occurrence had occurred due to emotional fight and the petitioners have realised their mistake now.

7. Considering the friendship between them and the fact that the defacto complainant and the petitioners live in the same area and they wished to settle their dispute, I feel it is appropriate to allow them to live in



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peace, though some of the offences under Sections 294(b), 326 and 506(ii) are non compoundable in nature.

8. No useful purpose will be served in keeping the proceedings pending. Therefore, 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 power under Section 482 Cr.P.C., prefers to quash the proceedings in Crime No.325 of 2022, on the file of the 1st respondent.

9. In the result, this Criminal Original Petition is allowed and as a sequel, the FIR in Crime No.325 of 2022 on the file of the 1st respondent, is quashed. The Joint Compromise Memo shall form part of this order.

04.11.2022

AT
Index:yes/No
Speaking Order / Non speaking order

To
1. The Inspector of Police,

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R10, MGR Nagar Police Station,
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2.The Public Prosecutor
High Court of Madras.



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R.N.MANJULA,J.

AT

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