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Crl.O.P.No.29078 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.29078 of 2022

Prem Kumar ... Petitioner

Vs.

1.State, Rep. By
the Inspector of Police,
Gobichettipalayam Police Station,
Gobichettipalayam, Erode District,
(Crime No.367 of 2022).

2.Jothimani ... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in Cr.No.367 of 2022 pending on the file of the 1st respondent and quash the same.

For Petitioner : Mr.J.Ranjithkumar

For Respondent : Mr.S.Santhosh
No.1 Govt. Advocate (Crl.side)



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ORDER

This Criminal Original Petition has been filed to quash the F.I.R in Crime No.367 of 2022 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 dated 02.11.2022 has been filed before this Court which have been signed by the petitioner and the second respondent and also the counsel for the petitioner. In the affidavit, it is stated that the petitioner and the 2nd respondent are mother and son, harmonious relationship is prevailing between them and living peacefully, the 2nd respondent has decided not to proceed with the criminal case in Crime No.367 of 2022. 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



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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. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641** in the case of ***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.367 of 2022.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.367 of 2022 on the file of the first respondent police is quashed and the terms of joint compromise memo shall form part and parcel of this order.

28.11.2022

Internet: Yes
Index : Yes/No
Speaking/Non speaking order
sms/mrp

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G.K.ILANTHIRAIYAN. J.

sms/mrp

To

1. The Inspector of Police,
Gobichettipalayam Police Station,
Gobichettipalayam, Erode District,
(Crime No.367 of 2022).

2.The Public Prosecutor,
High Court, Madras.

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