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Crl.OP.No.28003 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE V. SIVAGNANAM

Crl.O.P. No.28003 of 2022 &
Crl.M.P.No.17199 of 2022

1. R. Prabakaran
2. V. Ramachandran
3. V.Venkatesan @
V.Venkataraman

.. Petitioners

Vs.

1. State rep.by
the Inspector of Police,
Ambur Town Police Station,
Thirupathur District.

2.M. Rajesh

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records and quash the S.C.No.197 of 2022 in Crime No.738 of 2010 dated 12.08.2010 on the file of the 1st respondent police.

For Petitioners : Mr. C. Mohanakrishnan

For Respondents : Mr.S.Santhosh
Govt.Advocate (Crl.side) for R1



ORDER

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The Criminal Original Petition has been filed to call for the records and quash the S.C.No.197 of 2022 in Crime No.738 of 2010 dated 12.08.2010 on the file of the 1st respondent police.

2.The case is pending trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Compromise Memo dated 8.10.2022, stating that the issues between the petitioners and the 2nd respondent have been settled amicably, has been filed to quash the criminal proceedings initiated against the petitioners in S.C.No.197 of 2022 on the file of II Additional District and Sessions Court, Vellore @ Tirupattur and the same has been signed by the petitioners, their counsel and the 2nd respondent/defacto complainant. The petitioners/A1 to A3 and the second respondent/defacto complainant were also present in person before this Court and they were identified by M/s.S.Tharani, Women Special Sub Inspector of Police, Ambur Town Police Station, Thirupattur District. This Court also enquired both the parties and



was satisfied that the parties have come to an amicable settlement between themselves.

4. In the instant case, the occurrence took place during Temple Festival and the dispute is of personal in nature and the parties have now compromised with each other. The injured victim do not want to continue the criminal proceedings initiated against the accused persons. In the circumstances, the compromise entered into between the parties is considered and recorded.

5. The legal position expressed by the Hon'ble Apex Court in the case of **Gian Singh vs. State of Panjab and another** reported in **(2012)10 SCC 303** and **Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath** reported in **(2017)9 SCC 641** was taken into consideration.

6. In the light of the guidelines issued in the above said Judgments of the Hon'ble Apex Court, no useful purpose will be served in keeping the investigation pending in S.C.No.197 of 2022 on the file of II Additional District and Sessions Court, Vellore @ Tirupattur, even though, the offences involved are not compoundable in nature.



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V. SIVAGNANAM, J.

msr

7. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the S.C.No.197 of 2022 pending on the file of II Additional District and Sessions Court, Vellore @ Tirupattur is quashed and the terms of Joint Compromise Memo dated 8.10.2022 shall form part and parcel of this order. Consequently, the connected miscellaneous petition is closed.

17.11.2022

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To

1. The Inspector of Police,
Ambur Town Police Station,
Thirupathur District.
2. The Public Prosecutor,
High Court of Madras.

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Crl.M.P.No.17199 of 2022