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Crl.O.P No.28544 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.28544 OF 2022

1.V.Dhanush

2.G.Thamizh Arasan

... Petitioners /
Accused 1 & 2

Vs.

1.The State represented by
The Inspector of Police,
B-3, Fort Police Station,
Chennai.
(Crime No.117/2022)

... 1st Respondent /
complainant

2. Palanikumar

... 2nd Respondent /
Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to the First Information Report in Crime No. 117 of 2022 on the file of the 1st respondent and quash the same.

For Petitioners : Mr.C.Mageshkumar

For Respondent-1 : Mr.S.Santhosh
Government Advocate (Criminal Side)



ORDER

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This Criminal Original Petition has been filed to call for the records in FIR No.117 of 2022 dated 25.10.2022 pending on the file of the first respondent police and quash the same.

2. The first petitioner is the sister's son of the *defacto* complainant and the second petitioner is the friend of the *defacto* complainant. 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. The *defacto* complainant and the petitioners are present today and stated that they have settled the dispute. The petitioners and the *defacto* complainant were identified by Mr.V.Viaya Bharath, Sub Inspector of Police, B3 Fort Police Station (L&O), Chennai 09. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card which are made 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. A Memo of Compromise dated 12.11.2022 has been filed by the parties stating that they have settled their dispute among themselves and considering the



relationship between them, the *defacto* complainant does not want to pursue the matter any further.

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5. During enquiry, the *defacto* complainant has stated that he has voluntarily agreed the compromise and signed in the compromise memo without any coercion or threat. Considering the good intention of the parties to resume their relationships by burying their hatchet and also considering the fact that there is no previous criminal antecedents against the petitioners, this Court is of the view that 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. is inclined to quash the First Information Report in Crime No.117 of 2022.

In fine, this Criminal Original Petition stands **allowed** and as a sequel, the proceedings in Crime No.117 of 2022, on the file of the The Inspector of Police, B-3, Fort Police Station, Chennai. is quashed.

24.11.2022

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

R.N.MANJULA, J.,



Crl.O.P No.28544 of 2022

jrs

To:

1. The Inspector of Police,
B-3, Fort Police Station,
Chennai..
2. The Public Prosecutor,
Madras High Court.

Crl.O.P No.28544 of 2022

24.11.2022