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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2022

C O R A M

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.Nos.29637 of 2019 and 6815 of 2021
and
Crl. M.P. No.16001 of 2019

Fathima Irfana @ Irfana ...Petitioner/Accused 2
(In Crl. O.P.No.29637 of 2019)

F. Kamaludeen ...Petitioner/Accused 1
(In Crl. O.P.No.6815 of 2021)

Vs.

1. The State Rep. by,
The Inspector of Police,
Mylapore Police Station,
Chennai. ... Respondent/Complainant
(in both Petitions)

2.Fathima, M. ... Respondent/De facto Complainant
(In both petitions)

COMMON PRAYER: These Criminal Original Petitions are filed under Section 482 of Criminal Procedure Code, praying to call for the records in Crime No.422 of 2019 dated 30.08.2019 on the file of the 1st respondent and quash the same.

For petitioners : Mr.P. Thinesh
For R1 : Mr.N.S. Suganthan
(Government Advocate (Crl.Side))
For R2 : Mr. S. Titto Prabu
(in Both Petitions)

C O M M O N O R D E R

The petitioners have filed these petitions to call for the records in Crime No.422 of 2019 dated 30.08.2019 on the file of the 1st respondent and quash the same.



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

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3. For the evidence of the above, the parties have filed a Joint Memo of Compromise before this Court separately which have been signed by the petitioner in both petitions and the second respondent and also by their respective counsel. 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 is pending before the respondent police. 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. quashes the First Information Report in Crime No.422 of 2019 pending on the file of the respondent police.

5. In the result, Both Criminal Original Petitions stand disposed of in terms of the Memorandum of Compromise accordingly and the proceedings in Crime No.422 of 2019, on the file of the 1st respondent police, is quashed and the same shall form part and parcel of this order. Consequently, the connected Miscellaneous Petition is also closed.

* Xerox copy of the Joint Memo of Compromise is enclosed.

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

Lbm

To:

1. The State Rep. by,
The Inspector of Police,
Mylapore Police Station,
Chennai



2. The Additional Public Prosecutor,
High Court, Chennai.

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Crl.O.P.Nos.29637 of 2019 and 6815 of 2021
and
Crl. M.P. No.16001 of 2019

GPL (CO)
SU (28/02/2022)