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Cr.L.O.P.No.560 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Cr.L.O.P.No.560 of 2023

and

Cr.M.P.No.280 of 2023

1.Elumalai @ Karpagasundharapandiyan
2.Saranraj

...Petitioners

Vs.

1.The State represented by
The Inspector of Police,
Thimiri Police Station,
Ranipet District.
Crime No.33 of 2022.

2.Mani

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in Crime No.33 of 2022 on the file of the Inspector of Police, Thimiri Police Station, Ranipet District and quash the FIR pending against the petitioners.

For Petitioner : Mr.S.Silambuselvan

For R-1 : Mr.S.Santhosh
Government Advocate (Criminal side)



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ORDER

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This Criminal Original Petition is filed to call for the records in Crime No.33 of 2022 on the file of the Inspector of Police, Thimiri Police Station, Ranipet District and quash the FIR pending against the petitioners.

2. Learned counsel for the petitioners submitted that First Information Report in Crime No.33 of 2022 for the offences under Sections 294(b) and 323 of IPC came to be registered. It is alleged in the First Information Report that, on 17.01.2022 at about 9 pm, accused beaten the 2nd respondent/defacto complainant and scolded him in filthy language. In that regard, First Information Report was registered. Learned counsel for the petitioners submitted that, the petitioners and 2nd respondent filed a Joint Compromise Memo dated 16.03.2023. It is stated in the Joint Compromise that, considering the welfare of both sides, parties have decided to resolve the dispute. Therefore, he seeks for quashing the First Information Report in Crime No.33 of 2022 on the file of the Inspector of Police, Thimiri Police Station, Ranipet District.



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3. The learned Government Advocate (Crl.Side) submitted that, by passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4. A Joint Memo of Compromise dated 16.03.2023 has been filed before this Court, which have been signed by the petitioners and the second respondent and also by the learned counsel for the parties.

5. The petitioners and the second respondent were also present in person before this Court and they were identified by **Mr.Selvam, SSI, Thimiri Police Station, Ranipet District**. This Court also enquired both the parties and is satisfied that the parties have come to an amicable settlement between themselves. The second respondent answered this Court, that he had entered into a Memorandum of compromise with the petitioners and he has no objection for quashing the proceedings in First Information Report in Crime No.33 of 2022 on the file of the Inspector of Police, Thimiri Police Station, Ranipet District.

6. Considering the fact that, the second respondent does not want to prosecute the case against the petitioners and that he has no objection for quashment of proceedings and also considering that the offences are



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compoundable offence, no useful purpose will be served in keeping the proceedings in First Information Report in Crime No.33 of 2022 on the file of the Inspector of Police, Thimiri Police Station, Ranipet District

7. 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 jurisdiction under Section 482 Cr.P.C., quashes the First Information Report in Crime No.33 of 2022 on the file of the Inspector of Police, Thimiri Police Station, Ranipet District.

8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the First Information Report in Crime No.33 of 2022 on the file of the Inspector of Police, Thimiri Police Station, Ranipet District against the petitioners is quashed and the terms of joint compromise memo shall form part and parcel of this order. Consequently, the connected Miscellaneous Petition is closed.

28.03.2023

Internet :Yes
Index :Yes/No
gd



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To:

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- 1.The Inspector of Police,
Thimiri Police Station,
Ranipet District.
- 2.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN, J.
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