



WEB COPY



Criminal Original Petition No.1387 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.1387 of 2022

and

Crl.M.P.No.544 of 2022

1.Ganesh

S/o.G.S.Shanmugam

2.G.S.Shanmugam

S/o.Subramani Chettiyar

3.Padmavathy

W/o.G.S.Shanmugam

...Petitioners

Vs

1.State represented by

The Inspector of Police,
(Land Grabbing Special Cell),
Tiruvallur District, Tiruvallur.
Crime No.85 of 2021

2.Gajalakshmi

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for records in connection with FIR in Crime No.85 of 2021 on the file of first respondent police and quash the same as illegal.

For Petitioners : Mr.E.Prabu



Criminal Original Petition No.1387 of 2022

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]
Mr.K.Balaji [R2]

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.85 of 2021 pending on the file of the first respondent.

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

3. The Affidavit dated 22.06.2023 has been filed by second respondent/*de facto* complainant before this Court. The petitioners and second respondent/*de facto* complainant were also present. In the affidavit, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.85 of 2021. 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



Criminal Original Petition No.1387 of 2022

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 Gujarat)** and after exercising due caution as advised by the Hon'ble Supreme Court in **The State of Madhya Pradesh v. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.85 of 2021, on the file of the first respondent Police.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.85 of 2021 on the file of the first respondent police is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, the connected miscellaneous petition is also closed.

03.07.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm

N.ANAND VENKATESH, J



Criminal Original Petition No.1387 of 2022

gm

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1.The Inspector of Police,
(Land Grabbing Special Cell),
Tiruvallur District, Tiruvallur.
Crime No.85 of 2021

2.The Public Prosecutor,
High Court, Madras.

Criminal Original Petition No.1387 of 2022

03.07.2023