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Crl.O.P No.4080 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.4080 of 2022
and Crl.M.P No.2008 of 2022

1. G.Boopathi
2. G.Jayakumar
3. C.Govindaraj
4. H.Revathi
5. G.Muniyammal

... Petitioners

Vs.

1. State Rep. By
The Inspector of Police,
All Women Police Station,
Ponneri, Thiruvallur District.
(Crime No.08/2020)

2. R.Janaki @ Bhavani

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.08 of 2020 on the file of the 1st Respondent Police and quash the same.

For Petitioner : Mr.J.Senthamilarasu

For Respondents : Mr.A.Gopinath
(R1) Government Advocate (Crl. Side)
Mr.S.Alan David Rufus for R2



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ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.08 of 2020, pending on the file of the 1st 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 Joint Compromise Memo, dated Nil September 2022 has been filed before this Court by the petitioners and the 2nd respondent. The petitioners and the second respondent were also present and they were identified by the respondent Police, Ms.N.Nandhini, WPC – 3136, AWPS, Ponneri, Thiruvallur District, who was also present at the time of hearing. In order to identify, the petitioners and the 2nd respondent / defacto complainant have produced the copy of the Aadhaar Cards and the same shall form part of the record. In the Joint Compromise Memo, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.08 of 2020. This Court also enquired both the parties and was satisfied that the parties



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have come to an amicable settlement between themselves.

4. Under such circumstances, 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 Gujrath)**, and after exercising due caution as advised by the Hon'ble Supreme Court in ***the State of Madhya Pradesh vrs. 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.08 of 2020, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.08 of 2020, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. *[The petitioners shall pay a sum of Rs.1000/- (Rupees One Thousand only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry)], within a*



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period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry]. Consequently, the connected Miscellaneous Petition is also closed.

10.07.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
vum

To

1. The Inspector of Police,
All Women Police Station,
Ponneri, Thiruvallur District.
2. The Public Prosecutor,
Madras High Court,
Chennai.

N. ANAND VENKATESH, J.



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