



CrI.O.P No.1866 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.1866 of 2023

and

CrI.M.P.No.1045 of 2023

1.V.Prabhakaran
S/o.Viswanathan

2.C.Viswanathan
S/o.Chinnasamy

3.V.Manjanai
W/o.Viswanathan

4.V.Kannadhasan
S/o.Viswanathan

5.Vanitha
W/o.Kannadhasan

6.V.Neppoliyan
S/o.Viswanathan

... Petitioners

vs.

1.State : Inspector of Police,
W-26, All Woman Police Station,
Ashok Nagar, Chennai.

2.P.Shanmuga Mayuri
D/o.Pushpa Shanmuga Sundram

... Respondents



CrI.O.P No.1866 of 2023

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the FIR in Crime No.08 of 2022 pending on the file of first respondent.

For Petitioners : Mr.T.K.S.Gandhi

For Respondents : Mr.A.Gopinath

Government Advocate [CrI.side][R1]

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.08 of 2022 pending on the file of first respondent.

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.

3. A compromise affidavit has been filed by the second respondent/de-facto complainant before this Court. The petitioners and second respondent were also present in person before this Court and they were identified by Ms.K.Deepa, WSSI, W-26, All Woman Police Station, Ashok Nagar, Chennai - 600 083 [Mobile No.89394 19322]. 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.08 of 2022 pending on the file of first



CrI.O.P No.1866 of 2023

respondent. 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 case 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 Gujraath)** 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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the FIR in Crime No.08 of 2022 pending on the file of first respondent.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.08 of 2022 pending on the file of first respondent is quashed and the terms of affidavit shall form part and parcel of this order. consequently, connected miscellaneous petition is closed.

11.07.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
gm



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Crl.O.P No.1866 of 2023

N. ANAND VENKATESH., J

gm

To

- 1.The Inspector of Police,
W-26, All Woman Police Station,
Ashok Nagar, Chennai.
Crime No.08 of 2022
- 2.The Public Prosecutor,
High Court of Madras,
Madras.

Crl.O.P No.1866 of 2023

11.07.2023