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CrI.O.P Nos.3705 and 6765 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P Nos.3705 and 6765 of 2023
and CrI.M.P Nos.2314 and 4259 of 2023

CrI.O.P No.3705 of 2023

Gokulnath

... Petitioner

Vs.

1. The State Rep. by
The Inspector of Police,
T2 Chrompet Police station,
Tambaram City.
(Crime No.2 of 2023)

2. M.R.Lakshmanasamy

... Respondents

CrI.O.P No.6765 of 2023

1. M.R.Lakshmanasamy
2. Varshini

... Petitioners

Vs.

1. The State Rep. by
The Sub Inspector of Police,
Chrompet Police station,
Tambaram City.

2. V.Gokulnath

... Respondents



Crl.O.P Nos.3705 and 6765 of 2023

Common Prayer: Criminal Original Petitions filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the Crime No.2 of 2023 and Crime No.3 of 2023 on the file of the 1st respondent Police and quash the same.

For Petitioner in Crl.O.P No.3705
of 2023 & 2nd respondent in
Crl.O.P No.6765 of 2023 : Mr.B.Kumarasamy

For Petitioners in Crl.O.P No.6765
of 2023 & 2nd respondent in
Crl.O.P No.3705 of 2023 : Mr.K.Prabakaran

For 1st Respondent : Mr.A.Gopinath
in both cases Government Advocate (Crl. Side)

COMMON ORDER

The Criminal Original Petitions have been filed to quash the FIR in Crime Nos.2 and 3 of 2023, pending on the file of the 1st respondent.

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



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3. The Joint Compromise Memos, dated 13.06.2023 have been filed before this Court by the petitioners and the 2nd respondent in the respective cases. All the parties were also present and they were identified by the respondent Police, D.Arputham, Sub Inspector of Police, T2 Chrompet Police station, Tambaram, who was also present at the time of hearing. In order to identify, the petitioners and the 2nd respondent / defacto complainant in both the cases have produced the copy of the Aadhaar Card 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 Nos.2 and 3 of 2023. 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 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



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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 First Information Report in Crime Nos.2 and 3 of 2023, on the file of the 1st respondent Police.

5. The Criminal Original Petitions stand allowed and as a sequel, the proceedings in Crime Nos.2 and 3 of 2023, on the file of the 1st respondent police, are quashed and the terms of affidavit shall form part and parcel of this order. *[The petitioners shall pay a sum of Rs.1,000/- (Rupees One Thousand only) for their respective case as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry)]*, within a 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 Petitions are also closed.

07.07.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
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- To
1. The Inspector of Police,
T2 Chrompet Police station,
Tambaram City.
 2. The Public Prosecutor,
Madras High Court,
Chennai.



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N. ANAND VENKATESH, J.

vum

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