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Crl.O.P.No.5154 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.5154 of 2022
and Crl.M.P.No.2771 of 2022

K.Velu

... Petitioner

Vs.

1. The state rep by its
The Inspector of Police,
Banavaram Police Station,
Ranipet District.
(Crime No.99 of 2009)

2.Manjula

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to the impugned FIR in Crime No.99 of 2009 on the file of the 1st respondent police and quash the same by allowing this Criminal Original Petition.

For Petitioner : Mr.C.Somasekar

For R1 : Mr.A.Gopinath

Government Advocate (Criminal Side)

For R2 :

M/S.Saravanakanni

ORDER



Crl.O.P.No.5154 of 2022

No.99 of 2009, pending on the file of the 1st respondent.

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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 and Joint Compromise Memo dated 14.07.2023, have been filed by the 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present before this Court and they were identified by Mr.Saravanan, HC241, Banavaram Police Station. In the affidavit and joint compromise memo, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.99 of 2009. 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 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



Crl.O.P.No.5154 of 2022

Report in Crime No.99 of 2009, on the file of the 1st respondent Police.

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5. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.99 of 2009, on the file of the 1st respondent police, is quashed and the terms of affidavit and joint compromise memo shall form part and parcel of this order. [*The petitioner 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 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.

17.07.2023

Speaking Order/Non-speaking Order

Index :Yes/No

Internet:Yes/No

mpa

To

1. The Inspector of Police,
Banavaram Police Station,
Ranipet District.

2.The Public Prosecutor,
Madras High Court,
Chennai.



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N.ANAND VENKATESH,J.

mpa

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