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Crl.O.P.No.22197 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.22197 of 2023

C.Sathish

.. Petitioner

Versus

1. State by:

**Inspector of Police,
J-7, Velachery Police Station,
Velachery, Chennai.**

2. A.Siva

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.358 of 2022, dated 13.07.2022 on the file of the Inspector of Police, J-7, Velachery Police Station, Velacherry, Chennai and quash the First Information Report as against the petitioner is concern.

For Petitioner : Mr.K.Chozhan

**For Respondents : Mr.A.Gopinath,
Government Advocate (Crl. Side)
for R1**



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ORDER

The Criminal Original Petition has been filed to quash the F.I.R in Crime No.358 of 2022, 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 10.08.2023 of the second respondent / de-facto complainant and the joint compromise memo entered in between the petitioner and the second respondent / de-facto complainant have been filed before this Court. The parties are present in person before this Court. In order to identify the respective parties, they have also produced the copies of the Aadhaar Cards and the Aadhaar Cards are made part of the record. In the affidavit, it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Crime No.358 of 2022. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



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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 Vs. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Crl 10**, this Court in exercise of its jurisdiction under Section 482 of Cr.P.C., quashes the First Information Report in Crime No.358 of 2022, on the file of the first respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.358 of 2022, on the file of the first respondent Police, is quashed in entirety and the terms of affidavit of the second respondent / de-facto complainant shall form part and parcel of this order. The petitioners shall pay a sum of Rs.1000/- (Rupees One thousand only) each as costs, to the credit of the **Chairman, Advocate Clerks Association, Tirupattur, Vellore District (Indian Bank, Kacheri Street Branch, Tiruppattur A/c No.485403938, IFSC Code:IDIB00T039)**, within a period



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of two weeks from today and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

6. Post this case under the caption "For Reporting Compliance" on 12.10.2023.

27.09.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

Note : Issue order copy on 03.10.2023.

To

1. The Inspector of Police,
J-7, Velachery Police Station,
Velachery, Chennai.
2. The Public Prosecutor,
High Court of Madras.



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N.ANAND VENKATESH, J.

grs

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