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CrI.O.P.No.4514 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2023

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THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.4514 of 2023

1.Senthamizh Pandian @ Pandian

2.K.Bharathi Raja ... Petitioners

Vs.

1.The State Represented by
by the Inspector of
Police Cuddalore Police
Station CCD-II, Cuddalore District.
In Crime No.44/2022.

2.V.Vasu ... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records of the 1st respondent FIR No.44 of 2022 dated 28.09.2022 (on the file of the Inspector of Police, Cuddalore Police Station, CCD-II District) and quash the same.

For Petitioners : Mr.B.Mitra

For Respondents : Mr.S.Santhosh (For R1)

Government Advocate (Criminal side)

Mr.P.Karthick (For R2)



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ORDER

This Criminal Original Petition has been filed to call for the records of the 1st respondent FIR No.44 of 2022 dated 28.09.2022 (on the file of the Inspector of Police, Cuddalore Police Station, CCD-II District) and quash the same.

2.The First Information Report in Cr.No.44 of 2022 was registered against the petitioners for the offence under Section 419, 420 I.P.C and Section 66 D of Information Technology (Amendment) Act 2008, on the allegations that accused received a sum of Rs.1,00,000/- from the defacto complainant on the promise of getting him employment at Singapore. After getting money they failed to arrange for employment at Singapore. Therefore, complaint was given.

3.The learned Government Advocate (Criminal side) submitted that petitioners have one more case pending on the similar allegation in Cr.No.406 of 2022 and investigation in this case is pending.

4.Now it is informed that parties have resolved their dispute and arrived



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at compromise. A joint compromise deed dated 13.02.2023 is filed by petitioners and defacto complainant. Petitioners also filed affidavit. Petitioners, it is claimed, repaid the money received from the defacto-complainant. Defacto-complainant does not want to proceed further with this case. He has no objection for quashing the First Information Report in Cr.No.44 of 2022. Parties are present, when enquired the second respondent/defacto complainant reiterated that he resolved the dispute with the petitioners and does not want to prosecute the petitioners. He has no objection for quashing the complaint.

5.Considering the fact that the issue between the parties had compromised and that the second respondent does not want to prosecute the case against the petitioners, and that he has no objection for quashment of proceedings, no useful purpose will be served in keeping the proceedings pending in Crime No.44 of 2022 against the petitioners. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6.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**



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Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C.,
quashes the proceedings pending in Crime.No.44 of 2022 on the file of the
respondent police against the petitioners.

7. Accordingly, this Criminal Original Petition stands allowed and as a
sequel, the proceedings pending in Crime.No.44 of 2022, on the file of the
respondent police against the petitioners is quashed and the terms of joint
compromise memo shall form part and parcel of this order.

01.03.2023

Index: Yes/No

Speaking/Non speaking order

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G.CHANDRASEKHARAN.J.,

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To

1. Inspector of
Police Cuddalore Police
Station CCD-II, Cuddalore District.
2. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.29703 of 2022
Crl.M.P.No.18214 of 2022

01.03.2023