



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No. 7080 of 2022

and

Crl.M.P.No. 4044 of 2022

1. K.E.Sekar

2. K.S.Arul

3. K.S.Boobhalan

.. Petitioners

Vs.

1. The Sub Inspector of Police,
D4, R.K Pettai Police Station,
R.K.Pettai Taluk, Tiruvallur District.
Cr.No.199 of 2013

2. K.E.Mohanavelu

... Respondents

PRAYER in Crl.O.P.No.7080 of 2022 : Criminal Original Petition filed

under Section 482 of the Code of Criminal Procedure, to call for the records in FIR in Crime No.199 of 2013 dated 24.06.2013 on the file of 1st respondent police and quash the same.

For Petitioners : Mr.K.Venkatesan

For Respondent : Mr.A.Gopinath

Government Advocate (Crl.Side)



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ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.199 of 2013, pending on the file of the 1st 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 Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the defacto complainant and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.K.Velu, R.K.Pettai Police Station, R.K.Pettai Taluk, Tiruvallur District. In the joint compromise memo, it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Crime No.199 of 2013. 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 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 No.199 of 2013, on the file of the 1st respondent Police.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.199 of 2013, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioners shall pay a sum of Rs.1500/- (Rupees one thousand five hundred only) each as costs, to the credit of the **President, Tamil Nadu Advocates Clerk Association, Madras**.



High Court, Chennai (Indian Bank, High Court Branch, A/c

No.484026006, IFSC Code:IDIB000M157), within a period of two weeks 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.

25.07.2023

Index : Yes/No

Speaking order:Yes/No

Neutral citation:Yes/No

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Note : Issue order copy on 07.08.2023

To

1. The Sub Inspector of Police,
D4, R.K.Pettai Police Station,
R.K.Pettai Taluk, Tiruvallur District.
2. The Public Prosecutor,
Madras High Court, Madras.



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N.ANAND VENKATESH, J

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and

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