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CrI.O.P No.8934 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.8934 of 2023

and

CrI.M.P.No.5721 of 2023

1.R.Santhosh
S/o. Ragavan

2.S.Surya
S/o. Shankar

3.S.Mohan Raj
S/o. Shankar

... Petitioners

vs.

1.The State by,
The Inspector of Police,
E2 Royapettah Police Station,
Chennai.

2.M.Ashwin Kumar
S/o. Murugan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records relating to FIR in Crime No.284 of 2021 on the file of Inspector of Police, E2-Royapettah Police Station, Chennai, and quash the same as abuse of process.

For Petitioners : Mr.C.Ganesh Pandian

For Respondents : A.Damodaran

Additional Public Prosecutor [R1]

ORDER



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This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.284 of 2021 pending on the file of first respondent.

2. The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Compromise Memo dated 24.04.2023 signed by both parties has been filed by this Court. The petitioners and second respondent were also present in person before this Court and they were identified by Mr.M.Mohamed Yaliya, Sub-Inspector of Police, E-2 Royapettah Police Station, Chennai [98659 11771]. In the 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 No.284 of 2021 pending on the file of first respondent. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. It is brought to the notice of this Court that there is a case in counter in Crime No.285 of 2021 pending investigation on the file of first respondent.

5. Under such circumstances, no useful purpose will be served in keeping



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the case 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 Gujraath)** 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 FIR in Crime Nos.284 and 285 of 2021 pending on the file of first respondent.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime Nos.284 and 285 of 2021 pending on the file of first respondent is quashed and the terms of Compromise Memo shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

09.08.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
gm



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N. ANAND VENKATESH., J

gm

To

- 1.The Inspector of Police,
E2 Royapettah Police Station,
Chennai.
- 2.The Public Prosecutor,
High Court of Madras,
Madras.

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