



Crl.O.P.No.7538 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 10.04.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No.7538 of 2023

Thirumavalavan

...Petitioner

Vs.

1. State represented by its,
The Inspector of Police,
Chengalpattu Taluk Police Station,
Chengalpattu District.

2. Stephen

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for records pertaining to the proceedings pending in Crime No.44 of 2021 dated 04.02.2021 on the file of first Respondent Police and quash the same.

For Petitioner : Mr.M.Machavatharan

For Respondents

R1 : Mr.S.Santhosh

Government Advocate (Crl.Side)

ORDER



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This Criminal Original Petition has been filed calling for the records pertaining to the proceedings pending in Crime No.44 of 2021 dated 04.02.2021 on the file of first Respondent Police and quash the same.

2. The accused was charged for the offences under Sections 294(b), 324 and 506(2) of IPC in Crime No.44 of 2021 on the file of the respondent Police.

3. The FIR in Crime No.44 of 2021 came to be registered for the offences under Sections 294(b), 324 and 506(2) of IPC alleging that about 06.00 a.m, on 29.01.2021, the petitioner under the influence of alcohol kicked the defacto complainant's dog. When it was questioned, the petitioner said to have beaten the defacto complainant with brick and made criminal intimidation.

4. When the matter is taken up today, the petitioner and the second respondent/defacto complainant filed a joint memo of compromise dated 27.03.2023.

5. The learned Government Advocate (Crl.Side) submitted that the case is



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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.

6. A Joint Memo of Compromise dated 27.03.2023 has been filed before this Court, which have been signed by the petitioner and the second respondent and also by the learned counsel for the parties.

7. The petitioner and the second respondent were also present in person before this Court and they were identified by **Mr.K.Karunagaran, Special Sub Inspector, D2 Chengalpattu Taluk Police Station**. This Court also enquired both the parties and is satisfied that the parties have come to an amicable settlement between themselves.

8. 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)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the proceedings pending in Crime No.44 of 2021 dated 04.02.2021 on the file of first Respondent Police against the petitioner.



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9. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings pending in Crime No.44 of 2021 dated 04.02.2021 on the file of first Respondent Police as against the petitioner is hereby quashed and the terms of joint compromise memo dated 27.03.2023 shall form part and parcel of this order.

10.04.2023

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Index: Yes/No

Speaking Order: Yes/No



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To

1. The Inspector of Police,
Chengalpattu Taluk Police Station,
Chengalpattu District.
2. The Public Prosecutor,
High Court of Madras.

G.CHANDRASEKHARAN.J.,



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