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CrI.O.P.No.9333 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.9333 of 2022

A.Mohammed Rasik

...Petitioners

vs.

1. The State Rep. by
The Inspector of Police,
W-18, All Woman Police Station,
MKB Nagar, Chennai.
(Crime No.3 of 2020)

2. G.Salma

...Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the case in Crime No.3 of 2020 dated 04.07.2020 on the file of the 1st respondent police and quash the same.

For Petitioners : Mr.E.Soundarrajan

For Respondents : Mr.A.Gopinath,
Government Advocate,
for R1



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ORDER

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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 petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court. In the joint compromise memo, it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Crime No.3 of 2020. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

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 @**



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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.3 of 2020, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.3 of 2020, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1,000/- (Rupees Thousand only) 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 one week 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.

24.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
nsa



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N. ANAND VENKATESH, J.

nsa

1. The Inspector of Police,
W-18, All Woman Police Station,
MKB Nagar, Chennai.
(Crime No.3 of 2020)
2. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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