



WEB COPY



Crl.O.P.No.8347 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:25.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No.8347 of 2023

and

Crl.M.P.No.5313 of 2023

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...

Petitioner

Vs.

1. State Represented by
Sub-Inspector of Police,
Velur Police Station,
Namakkal District.

2. U.Surya @ Jaisurya

...

Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records and quash the proceedings in Crime No.231 of 2022 pending on the file of Velur Police Station, Namakkal District for offences under Sections 4 and 9 of TN Prohibition of charging Exorbitant Interest Act, 2003 and under Section 511 of IPC.

For Petitioner : Mr. Deepanuday

For Respondent : Mr.Leonard Arul Joseph Selvam
No.1 Government Advocate (Crl. Side)

For Respondent
No.2 : Mr.M.Prakash



Crl.O.P.No.8347 of 2023

ORDER

This Criminal Original Petition is filed to call for the records and quash the proceedings in Crime No.231 of 2022 pending on the file of Velur Police Station, Namakkal District for offences under Sections 4 and 9 of TN Prohibition of charging Exorbitant Interest Act, 2003 and under Section 511 of IPC.

2. A case was registered as against the petitioner in Crime No. 231 of 2022 for the offence under Sections 4 and 9 of TN Prohibition of charging Exorbitant Interest Act, 2003 and under Section 511 of IPC.

3. The learned Government Advocate (Crl.Side) submitted that, by passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4. A Joint Memo of Compromise dated 23.01.2023 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.



Crl.O.P.No.8347 of 2023

5. The petitioner and the second respondent were also present in person before this Court and they were identified by **Mr.N.K.Subramanian, Velur Police Station, Namakkal District (Ph.No.9498169045)**. This Court also enquired both the parties and is satisfied that the parties have come to an amicable settlement between themselves. The second respondent answered this Court, that he had entered into a Memorandum of compromise with the petitioner and he has no objection for quashing the FIR in Crime No.231 of 2022.

6. Considering the fact that the second respondent does not want to prosecute the case against the petitioner and that he has no objection for quashment of proceedings, no useful purpose will be served in keeping the FIR in Crime No.231 of 2022 against the petitioner.

7. 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 First Information Report in Crime No.231 of 2022.



Crl.O.P.No.8347 of 2023

8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.231 of 2022, on the file of the first respondent police is quashed and the terms of joint compromise memo of the parties dated 23.01.2023 and the consent affidavit dated 23.01.2023 filed by the 2nd respondent shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

25.04.2023

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Internet: Yes

Index: Yes/No

Speaking/Non speaking order

To:

1. Sub-Inspector of Police,
Velur Police Station,
Namakkal District.

2. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.8347 of 2023

G.CHANDRASEKHARAN, J.
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Crl.O.P. No.8347 of 2023

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