



Crl.O.P.No.9337 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.9337 of 2023

1. Kumaran @ Kumaresan
2. Prakashraj .. Petitioners

Versus

State of Tamil Nadu,

1. Rep. by the Inspector of Police,
E-3, Teynampet Police Station,
Chennai - 18.
(Cr.No.369 of 2022)

2. Harish .. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the proceedings in Crime No.369 of 2022 on the file of the 1st respondent and quash the same.

For Petitioners : Mr.P.Surendran

For Respondents : Mr.A.Gopinath
Government Advocate (Crl. Side)
for R1

: Mr.M.R.Sathish for R2



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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 affidavit dated 13.04.2023 of the second respondent / de-facto complainant and the joint memo of compromise entered into between the petitioners and the second respondent / de-facto complainant have been filed before this Court. The petitioners and the second respondent were also present in person before this Court. In order to identify the respective parties, they have also produced the copies of the Aadhaar Cards and the Aadhaar Cards are made part of the record. In the affidavit, it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Crime No.369 of 2022. 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. The learned Government Advocate (Crl. Side) for the first respondent submitted that the counter case in Crime No.368 of 2022 which became a subject matter of challenge in Crl.O.P.No.8943 of 2023, was quashed by this Court by order dated 21.04.2023.

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 Vs. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Crl 10**, this Court in exercise of its jurisdiction under Section 482 of Cr.P.C., quashes the First Information Report in Crime No.369 of 2022, on the file of the first respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.369 of 2022, on the file of the first respondent Police, is quashed and the terms of affidavit shall form part and parcel of



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this order. The petitioners shall pay a sum of Rs.1000/- (Rupees One Thousand only) together 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 today and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

17.07.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

1. The Public Prosecutor,
High Court of Madras.
2. The Inspector of Police,
E-3, Teynampet Police Station,
Chennai - 18.



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N.ANAND VENKATESH, J.

grs

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