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Crl.O.P.No.8943 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.8943 of 2023

1. Akash

2. Naren

... Petitioners

Vs.

State of Tamil Nadu

1. Represented by

The Inspector of Police,
E-3, Teynampet Police Station,
Chennai-18.
(Crime No.368 of 2022)

2. Prakashraj

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records relating to the proceedings in Crime No.368 of 2022 on the file of the first respondent and quash the same.

For Petitioners	: Mr.P.Surendran
For R1	: Mr.Leonard Arul Joseph Selvam Government Advocate (Crl.Side)
For R2	: Mr.M.V.Sathish



Crl.O.P.No.8943 of 2023

ORDER

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This Criminal Original Petition has been filed calling for the records in Crime No.368 of 2022 on the file of the first respondent and to quash the same.

2. The accused were charged for the offences under Sections 294(b), 341, 323 and 506(2) of IPC in Crime No.368 of 2022 on the file of the first respondent Police.

3. It is seen from the FIR allegation that in connection due to bursting of crackers, there was a fight and in the said fight, the petitioners said to have attacked the second respondent/defacto complainant. On the basis of the complaint of the second respondent/defacto complainant, the first respondent Police registered FIR in Crime No.368 of 2022 for the offences under Sections 294(b), 341, 323 and 506(2) of IPC.

4. When the matter is taken up today, the petitioners and the second respondent/defacto complainant filed a joint memo of compromise dated 13.04.2023. The second respondent also filed a consent affidavit.



Crl.O.P.No.8943 of 2023

WEB COPY

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

6. The petitioners and the second respondent were also present in person before this Court and they were identified by **Ms.V.Ganga, WSSI 18293, E3, Teynampet Police Station.** This Court also enquired both the parties and is satisfied that the parties have come to an amicable settlement between themselves. In view of the settlement, continuance of the proceedings would be a waste of time for the reason that conviction is not possible.

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 proceedings pending in Crime No.368 of 2022 on the file of the first respondent against the petitioners.

8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings pending in Crime No.368 of 2022 on the file of the first



Crl.O.P.No.8943 of 2023

respondent as against the petitioners is hereby quashed and the terms of joint compromise memo dated 13.04.2023 shall form part and parcel of this order.

24.04.2023

Index:Yes/No
Speaking/Non speaking order
mn

To

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



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Crl.O.P.No.8943 of 2023

G.CHANDRASEKHARAN.J.,

mn

Crl.O.P.No.8943 of 2023

24.04.2023