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Crl.O.P.No.13595 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

**Crl.O.P.No.13595 of 2023
and Crl.M.P.No.8286 of 2023**

B.Palanirajan

.. Petitioner

Versus

**1. The State rep. by its
The Inspector of Police,
K11 CMBT Police Station,
Chennai - 600 107.
(Crime No.387 of 2022)**

2. Ananthanarayanan

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the F.I.R in Crime No.387 of 2022 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.A.Prakash

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

: Mr.R.Vivekananthan for R2



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ORDER

The Criminal Original Petition has been filed to quash the F.I.R in Crime No.387 of 2022, pending on the file of the first respondent.

2. When the matter came up for hearing on 23.06.2023, this Court passed the following order :-

" Learned Government Advocate (Criminal side) is directed to verify, whether there are similar cases pending against the accused in this case and report the same to this Court.

2. It is submitted by the learned counsel for the parties that, as per the compromise entered, 2nd respondent was paid a sum of Rs.12,00,000/- as final settlement through Demand Draft bearing No.494180 dated 11.05.2023 in RBL Bank, Anna Nagar Branch.

3. Post the matter after three weeks."

3. The affidavit dated 23.06.2023 of the second respondent / de-facto complainant and the joint memo of compromise entered into between the petitioner and the second respondent / de-facto complainant have been filed before this Court. Mr.M.Dass, Special Sub-Inspector of Police, K11 CMBT Police Station, Chennai is present before this Court. In the affidavit, it has



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been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Crime No.387 of 2022.

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.387 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.387 of 2022, on the file of the first 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.1000/- (Rupees One thousand only) as costs, to the credit of the **President, Tamil Nadu**.



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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. Consequently, connected miscellaneous petition is closed.

01.08.2023

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,
K11 CMBT Police Station,
Chennai - 600 107.



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N.ANAND VENKATESH, J.

grs

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