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Crl.O.P.No.12734 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.12734 of 2023

R.Prabhashree

...Petitioner

Vs.

1.The State rep. by
Inspector of Police,
J-3, Traffic Investigation Wing South,
Guindy Police Station, Chennai.

2.C.Jayavel

3.M.Arunarani

4.K.Muthukumarasamy

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in FIR in Crime No.113 of 2023 on the file of J-3, Traffic Investigation Wing South, Guindy Police Station, Chennai and quash the same.

For Petitioner : Mr.V.Sambamoorthy
For R-1 : Mr.Leonard Arul Joseph Selvam
Government Advocate (Criminal side)
For R2 to R4 : Mr.R.Kandasamy



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ORDER

This Criminal Original Petition is filed to call for the records in FIR in Crime No.113 of 2023, on the file of J-3, Traffic Investigation Wing South, Guindy Police Station, Chennai and quash the same.

2. FIR allegations shows that on 25.02.2023, when the defacto complainant's wife was riding a two wheeler of his father-in-law, bearing Registration No.TN 85 H 8097, petitioner, who was driving a Car bearing Registration No. TN 09 CQ 4797 came in a rash and negligent manner and hit the two wheeler. Thereby, defacto complainant's wife and father-in-law suffered injuries. Thus, a case was registered in Crime No.113 of 2023 against the petitioner for the offences under Sections 279 & 337 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 21.05.2023 has been filed before this Court, which has been signed by the petitioner and the respondents 2 to 4 and also by the learned counsel for the parties.



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5. The petitioner and the respondents 2 to 4 were also present in person before this Court and they were identified by **Mr.M.Sivakumar, H.C. 24678, J3 – Guindy Traffic Investigation Wing, Chennai.** This Court also enquired both the parties and is satisfied that the parties have come to an amicable settlement between themselves. The respondents 2 to 4 answered this Court, that they had entered into a Memorandum of compromise with the petitioner and they have no objection for quashing the proceedings in First Information Report in Crime No.113 of 2023, on the file of the first respondent against the petitioner.

6. Considering the fact that, the respondents 2 to 4 do not want to prosecute the case against the petitioner and that they have no objection for quashment of proceedings, no useful purpose will be served in keeping the proceedings in First Information Report in Crime No.113 of 2023, on the file of the first respondent.

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.,



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quashes the First Information Report in Crime No.113 of 2023, on the file of the first respondent.

8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the First Information Report in Crime No.113 of 2023, on the file of Inspector of Police, J-3, Traffic Investigation Wing South, Guindy Police Station, Chennai, against the petitioner is quashed and the terms of joint compromise memo and the consent affidavit shall form part and parcel of this order. Consequently, connected Miscellaneous Petition is closed.

16.06.2023

Internet: Yes
Index : Yes/No
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To:

1. The Inspector of Police,
J-3, Traffic Investigation Wing South,
Guindy Police Station, Chennai.
2. The Public Prosecutor,
High Court of Madras.

G.CHANDRASEKHARAN, J.



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