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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.14665 of 2023
and
Crl.M.P.No.9157 of 2023

K.Surya Narayanan
S/o.Late Kothandaraman ...Petitioner

Vs

1.The State represented by
The Inspector of Police,
W-28, All Women Police Station,
Ambattur, Chennai - 600 053.

2.Nithyakalyani
D/o.Sundararaman ... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for entire records pertaining to the above FIR in Crime No.8 of 2020 pending on the file of W-28, All Women Police Station, Ambattur and quash the same.

For Petitioner : Mr.David Thyagaraj

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]
Mr.A.Ramesh [R2]

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O R D E R

The Criminal Original Petition has been filed to quash the FIR in Crime No.8 of 2020 pending on the file of the first respondent.

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 04.07.2023 has been filed by second respondent/*de facto* complainant before this Court. The petitioner has also filed an affidavit. A Joint Memo of Compromise has also been filed by the petitioner and second respondent. The petitioner and second respondent/*de facto* complainant were also present. In the affidavit, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.8 of 2020. 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. 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 Gujarat)*** and after exercising due caution as advised by the Hon'ble Supreme Court in ***The State of Madhya Pradesh v. Dhruv Gurjar and Another*** reported in ***(2019) 2 MLJ Crl 10***, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.8 of 2020, on the file of the first respondent Police.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.8 of 2020 on the file of the first respondent police is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, the connected miscellaneous petition is also closed.

04.07.2023

Index : Yes/No
Speaking order:Yes/No
Neutral citation:Yes/No
gm

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N.ANAND VENKATESH, J

gm

To

1.The Inspector of Police,
W-28, All Women Police Station,
Ambattur, Chennai - 600 053.

2.The Public Prosecutor,
High Court, Madras.

Criminal Original Petition No.14665 of 2023

04.07.2023

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