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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.15876 of 2023

1.K.Rajkumar
2.R.Bharathi

Petitioners

VS.

1. The State Rep. by
The Inspector of Police,
F5, Choolaimedu Police Station,
Choolaimedu, Chennai 600094.

2. Mala

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.745 of 2021, on the file of the 1st respondent police and quash the same.

For Petitioner : Mrs.H.R.R.Shameera Begam

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor
for R1
Mr.R.Prabakaran for R2

ORDER

The Criminal Original Petition has been filed to quash the FIR in

Crime No.745 of 2021, pending on the file of the 1st respondent Police.



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 Joint Memo of Compromise dated 06.06.2023 has been filed before this Court which have been signed by the petitioners and the 2nd respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mrs.Usha Lilly William, SI of Police, F5-Choolaimedu Police Station (Mobile No.9498109028). In the joint compromise memo it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Crime No.745 of 2021. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

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 v. Dhruv Gurjar and Another* reported in (2019) 2 MLJ CrI 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.745 of 2021, on the file of the 1st respondent Police.

5.It is also brought to the notice of this Court that the counter complaint registered in Crime No.744 of 2021, before the 1st respondent was quashed by this Court by order dated 14.06.2023 made in CrI.OP.No.13068 of 2023.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.745 of 2021, on the file of the 1st respondent police, is quashed and the terms of joint memo of compromise dt.6.6.2023, shall form part and parcel of this order.

17.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
KP



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N. ANAND VENKATESH, J.
KP

To

1. The Inspector of Police,
F5, Choolaimedu Police Station,
Choolaimedu, Chennai 600094.
2. The Additional Public Prosecutor
High Court of Madras.

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