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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.15825 of 2023
and Crl.M.P No.9865 of 2023

1. Dr.Sajith Ahamed
- 2.Mrs.Khadarsha Rahmathnachiya
- 3.Mr.Thajuddin
- 4.Mr.Sirajudeen

Petitioners

vs.

1. The State Rep. by
The Inspector of Police,
AWPS, Royapuram Police Station,
Chennai.

2. Dr.Anees Fathima

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the FIR in Crime No.10 of 2022 on the file of the 1st respondent and quash the same

For Petitioner : Mr.I.Abdul Basith

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

Mr.K.Sivakumar for R2

**ORDER**

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The Criminal Original Petition has been filed to quash the FIR in Crime No.10 of 2022, pending on the file of the 1st 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 Joint Memo of Compromise 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 Mr.V.Ananth, Sub Inspector of Police, W-15, AWPS Royapuram Police Station, Chennai. In the joint compromise memo it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Crime No.10 of 2022. 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 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.10 of 2022, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.10 of 2022, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.500/- (Rupees Five Hundred only) as costs, to the credit of the **President, Tamil Nadu 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 the date of



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N. ANAND VENKATESH, J.

ssr

receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Consequently, connected miscellaneous petition is closed.

14.07.2023**(2/2)**

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

To

1. The State Rep. by
The Inspector of Police,
AWPS, Royapuram Police Station,
Chennai.
2. The Public Prosecutor,
Puducherry.

**Crl.O.P No.15825 of 2023
and Crl.M.P No.9865 of 2023**