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CrI.O.P No.17772 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.17772 of 2023

1.Amalameri

W/o.Alexis Samson

2.Stephen Reginold

S/o.Alexis Samson

3.Reegan Ronold

S/o.Alexis Samson

... Petitioners

vs.

1.The State represented by its
The Inspector of Police,
The District Crime Branch,
Kallakurichi District.
Crime No.7 of 2023

2.Saviour

S/o.Alasu

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records and quash the First Information Report in Crime No.07 of 2023 pending on the file of first respondent based on compromise.

For Petitioners : Mr.Krishnasamy Chinnasamy

For Respondents : Mr.A.Gopinath

Government Advocate [CrI.side][R1]

Ms.P.Sharmila [R2]



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ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.07 of 2023 pending on the file of first respondent.

2. The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Compromise Memo dated 11.07.2023 signed by both parties has been filed before this Court. A compromise affidavit has been filed by the second respondent/de-facto complainant before this Court. The petitioners and second respondent were also present in person before this Court and they were identified by Mr.S.Arumugam, Special Sub-Inspector of Police, Kallakurichi DCB [94981 52150]. In the affidavit, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.07 of 2023 pending on the file of first respondent. 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 case 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 Gujraath)** 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 FIR in Crime No.07 of 2023 pending on the file of first respondent.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.07 of 2023 pending on the file of first respondent is quashed and the terms of affidavit shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.500/- (Rupees Five Hundred only) as costs, to the credit of the **President, Advocates Clerk Association, Ponneri, Ponneri Taluk, Thiruvallur District, (The Kancheepuram Central Co-operative Bank Ltd., Ponneri Branch, A/c No.717907005 IFSC Code:TNSC0010200).** within a period of two (2) weeks from today and file a photocopy of the receipt along with a memo reporting compliance in the



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Registry.

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N. ANAND VENKATESH., J

gm

Post this case under the caption 'for reporting payment of cost' on
24.08.2023.

07.08.2023

Note : Issue order copy on 10.08.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
gm

To

1.The Inspector of Police,
The District Crime Branch,
Kallakurichi District.
Crime No.7 of 2023

2.The Public Prosecutor,
High Court of Madras,
Madras.

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