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Crl.O.P No.17660 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.17660 of 2023

S.Venkatramanan
S/o.Srinivasan

... Petitioner

VS.

1.The Inspector of Police (Crime),
E-3 Teynampet Police Station,
Teynampet, Chennai.

2.K.Vijaya
W/o.Late G.Kesavamurthi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records in Crime No.886 of 2018 dated 29.06.2018 on the file of the first respondent herein and quash the same.

For Petitioner : Mr.A.Thirumaran

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]
Mr.E.Ashok Kumar [R2]



Crl.O.P No.17660 of 2023

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.886 of 2018 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 01.07.2023 signed by both parties and their respective counsel have been filed before this Court and consent affidavit of second respondent/de-facto complainant has been filed before this Court. The petitioner and second respondent were also present in person before this Court. In the consent 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.886 of 2018 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.

4. Under such circumstances, no useful purpose will be served in keeping the case pending, even though, the offences involved are not compoundable in



Crl.O.P No.17660 of 2023

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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the FIR in Crime No.886 of 2018 pending on the file of first respondent.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.886 of 2018 pending on the file of first respondent is quashed in entirety and the terms of Joint Compromise Memo dated 01.07.2023 and terms of consent affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1,500/- (Rupees One Thousand and 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 Registry.



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Crl.O.P No.17660 of 2023

N. ANAND VENKATESH., J

gm

Post this case under the caption 'for reporting payment of cost' on
28.08.2023.

09.08.2023

Note : Issue order copy on 14.08.2023

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

To

1.The Inspector of Police (Crime),
E-3 Teynampet Police Station,
Teynampet, Chennai.

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

Crl.O.P No.17660 of 2023