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Crl.O.P No.17499 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.17499 of 2023

Barathi
S/o. Elangovan

... Petitioner

vs.

1. State of Tamil Nadu,
Inspector of Police,
Chinnasalem Police Station
Kallakuruchi District.

2. Mr.Arunagiri
S/o. Velayudham

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records relating to FIR in Crime No.51 of 2023 on the file of first respondent and quash the same.

For Petitioner : Mr.K.Vijayaragavan

For Respondents : Mr.A.Damodaran

Additional Public Prosecutor [R1]

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.51 of 2023 pending on the file of first respondent.

2. The case is still at the stage of investigation. By passage of time, the



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parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Compromise Memo dated 27.06.2023 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 petitioner and second respondent were also present in person before this Court and they were identified by Mr.A.Dhanasekaran, Special Sub-Inspector of Police, Chinna Salem [94438 79606]. 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.51 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.

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 Gujrat)** 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



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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.51 of 2023 pending on the file of first respondent.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.51 of 2023 pending on the file of first respondent is quashed and the terms of Joint Compromise Memo dated 27.06.2023 and the terms of affidavit shall form part and parcel of this order.

07.08.2023

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

To

- 1.The Inspector of Police,
Chinnasalem Police Station
Kallakuruchi District.
- 2.The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH., J

gm

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