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Crl.O.P No.22156 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED : 08.09.2023

CORAM

**THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH**

**Crl.O.P No.22156 of 2022**

**and**

**Crl.M.P.No.14274 of 2022**

1.K.Annasamy

2.A.Rekha

... Petitioners/Accused 1 & 2

vs.

1.State rep. by its

Inspector of Police,

J-4 Kotturpuram Police Station,

Chennai – 600 085.

(Crime No.82 of 2022)

2.Kumutha

... Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records culminated in the impugned F.I.R. in Crime No.82 of 2022 dated 20.01.2022 on the file of the first respondent police and quash the same, in view of the compromise and final settlement.

For Petitioners : Mr.M.Senthil Kumar

For Respondent-1 : Mr.A.Damodaran  
Additional Public Prosecutor

For Respondent-2 : Mr.R.Shine Kumar



Crl.O.P No.22156 of 2022

## **ORDER**

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The Criminal Original Petition has been filed to quash the FIR in Crime No.82 of 2022, pending on the file of the 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 and Final Settlement dated 06.08.2022 signed by both petitioners and second respondent/*de facto* complainant has been filed before this Court. A compromise affidavit has also 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.R.Sakthivel, J-4 Kotturpuram Police Station, Chennai (Mob: 9444296936). 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.82 of 2022 pending on the file of first respondent.



Crl.O.P No.22156 of 2022

WEB COPY

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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.82 of 2022, pending on the file of first respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.82 of 2022, pending on the file of first respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioners shall pay a sum of Rs.1,500/- (Rupees One Thousand Five hundred only) each, as costs, to the credit of the



CrI.O.P No.22156 of 2022

**President, Tamil Nadu Advocates Clerk Association, Salem, Indian**

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**Oversees Bank, District Court Branch, Salem 7 A/c No.178001000000397.**

**IFSC Code:IOBA0001780,** within a period of two weeks from today and

file a photocopy of the receipt along with a memo reporting compliance in

the Registry. Consequently, connected miscellaneous petition is closed.

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

25.09.2023.

**08.09.2023**

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

rsi

**Note: Issue order copy on 14.09.2023**



Crl.O.P No.22156 of 2022

To

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1.The Inspector of Police,  
J-4 Kotturpuram Police Station,  
Chennai – 600 085.

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



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Crl.O.P No.22156 of 2022

**N. ANAND VENKATESH, J.**

rsi

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**08.09.2023**