



Crl.O.P.No.18685 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

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1. Murugan
2. Kannapillai @ Kannan .. Petitioners

Versus

1. State rep by,
Inspector of Police,
Kanai Police Station,
Villupuram.
(Crime No.413 of 2018)
2. Balakrishnan .. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the F.I.R in Crime No.413 of 2018 on the file of the 1st respondent Police.

For Petitioners : Mr.G.Saravanabhavan

For Respondents : Mr.A.Gopinath
Government Advocate (Crl. Side)
for R1

: M/s.R.V.Preetham Balajee for R2



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ORDER

The Criminal Original Petition has been filed to quash the F.I.R in Crime No.413 of 2018, pending on the file of the first 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 affidavits of the second respondent / de-facto complainant and the petitioners and the joint memo of compromise entered into between the petitioners and the second respondent / de-facto complainant have been filed before this Court. The petitioners and the second respondent were also present in person before this Court and they were also identified by Mr.Mathivanan, Sub-Inspector of Police, Kanai Police Station, Villupuram district. In the affidavit, it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Crime No.413 of 2018. 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 Gujrat)**, and after exercising due caution as advised by the Hon'ble Supreme Court in **The State of Madhya Pradesh Vs. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Crl 10**, this Court in exercise of its jurisdiction under Section 482 of Cr.P.C., quashes the First Information Report in Crime No.413 of 2018, on the file of the first respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.413 of 2018, on the file of the first respondent Police, is quashed and the terms of affidavit of the second respondent / de-facto complainant shall form part and parcel of this order.

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Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no



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To

1. The Public Prosecutor,
High Court of Madras.
2. The Inspector of Police,
Kanai Police Station,
Villupuram.



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N.ANAND VENKATESH, J.

grs

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