



CrI.O.P No.18024 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.18024 of 2023

1.P.Venkatesh

S/o.Ponraj

2.V.Kavitha

W/o.P.Venkatesh

3.R.Ramesh

S/o.Ramachandran

... Petitioners

vs.

1.The State Rep by

Inspector of Police,

K-10, Koyambedu Police Station,

Chennai.

2.Sathish Kumar,

S/o.Sundaresan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of the 1st respondent in Crime No.727 of 2019 and quash the same.

For Petitioners : Mr.M.Soundar Vijay Arul Ram

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



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ORDER

The Criminal Original Petition has been filed to quash the F.I.R. in Crime No.727 of 2019, 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 Memo of Compromise dated 27.07.2023 signed by both petitioners and second respondent/*de facto* complainant and their respective counsel 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.P.Gopi, SSI, K-10, Koyambedu Police Station. 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.727 of 2019 pending on the file of first respondent.



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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 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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.727 of 2019, pending on the file of first respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.727 of 2019, 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.1,000/- (Rupees One thousand 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**



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N. ANAND VENKATESH, J.

rsi

No.717907005 IFSC Code:TNSC0010200), within a period of two weeks from today and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

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

11.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
rsi

To

1.The Inspector of Police,
K-10, Koyambedu Police Station,
Chennai.

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

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