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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.18726 of 2023

Manikandan

Petitioner

vs.

1.State Rep. By,
The Inspector of Police,
Tambaram Police Station,
Tambaram City.
Crime No. 77 of 2022

2.Rajeshkumar

.... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in connection with the Impugned FIR in Crime No.77/2022 pending on the file of the 1st respondent and quash the same.

For Petitioner	: M/s. M. Vijaya Ragavan
For Respondent	:Mr. A. Damodaran, Additional Public Prosecutor for R1

**ORDER**

The Criminal Original Petition has been filed to quash the FIR in Crime No. 77 of 2022, pending on the file of the 1st 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 petitioner who was present before this Court stated that he was working in Corporation of Chennai as a cleaner from the year 2016. He further stated that he was a victim of circumstances and that he has already been suspended by the Corporation of Chennai from February 2022 onwards. The petitioner also regretted for what he had done in this case.

4. The learned Additional Public Prosecutor on instructions submitted that there is no other case against the petitioner and his antecedents has already been verified by the respondent police.



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5. The Joint memo of Compromise has been filed before this Court which have been signed by the petitioner and the defacto complainant and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by Mrs.C.Shakila, Inspector of Police, T1 Tambaram Police Station. In the joint compromise memo, it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Crime No.77 of 2022. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6. 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



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Section 482 Cr.P.C. quashes the First Information Report in Crime No.77 of 2022 on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.77 of 2022 on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order.

29.08.2023

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

To

1. The Inspector of Police,
Tambaram Police Station,
Tambaram City.

2. The Public Prosecutor,
High Court, Madras

N. ANAND VENKATESH, J.

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