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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.19389 of 2023

1.Anandan, M/A-28 Y
S/o.Boopathi

2.Murugayi, F/A-53 Y
W/o.Boopathi

.. Petitioners/Accused 1 and 2

.VS.

1.State Rep.by
Inspector of Police
Jolarpet Police Station
Vellore District.

.. 1st Respondent/Complainant

(Crime No.99of 2018)

2.Anji, M/A-47 Y
S/o.Murugan

..2nd Respondent/De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to FIR in Crime No.99 of 2018, pending on the file of the 1st respondent police and quash the same.

For Petitioners : Mr.D.Bennington

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor for R1



ORDER

This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.99 of 2018, pending on the file of 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. Joint Memo of Compromise dated 18.08.2023 signed by both petitioners and second respondent/*de facto* complainant and their respective counsel has been filed before this Court. An 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. In the Joint Memo of Compromise, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.99 of 2018, 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 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**



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Crl 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the FIR in Crime No.99 of 2018, pending on the file of first respondent.

5.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.99 of 2018, pending on the file of first respondent is quashed and the terms of affidavit shall form part and parcel of this order. The petitioners (each) shall pay a sum of Rs.1000/- (Rupees one thousand only) as costs, to the credit of **M/s.Vakil Kumasthakkal Sangam Cuddalore (Indian Overseas Bank, Pudupalayam, Cuddalore-1, A/c No.177801000003906, IFSC COCE : IOBA0001778)** within a period of two weeks from the date of receipt of copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

6.Post this case for reporting compliance on **11.9.2023**.

23.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
kp
Note: Issue order copy on **29.8.2023**



WEB COPY



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N. ANAND VENKATESH,, J.

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To

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

Crl.O.P No.19389 of 2023

Post this case for reporting compliance on **11.9.2023**

23.08.2023