



1 of 4

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.18351 of 2023

Kalai @ Yogesh, M/A-32 Y
S/o.Govindaraj

.. Petitioner /Accused

.Vs.

1.The State rep.by
Inspector of Police
N-2, Kasimedu Police Station
Chennai District.

..1st Respondent/Complainant

2.Madhan, M/A-29 Y
S/o.Ramesh

..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 Crime No.121/2023 on the file of 1st respondent police and quash the same.

For Petitioners : Mr.S.Siva Kumar

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.121 of 2023, 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. A Joint Memo of Compromise dated 04.08.2023 signed by both petitioner 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 petitioner and second respondent were also present in person before this Court. In the Joint Compromise Memo, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.121 of 2023, 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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the FIR in Crime No.121 of 2023, pending on the file of first respondent.



5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.121 of 2023, pending on the file of first respondent is quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.500/- (Rupees five hundred only) as costs, to the credit of the **President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157)**, 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 **04.9.2023**.

14.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
KP
Note: Issue order copy on 21.8.2023
To

1.The Inspector of Police
N-2, Kasimedu Police Station
Chennai District.

2.Public Prosecutor
High Court of Madras.



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4 of 4

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