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Criminal Original Petition No.19814 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.19814 of 2023

1. M/s.Nission Educational Consultants Pvt. Ltd.,
Rep. by its Directors,
Sahaya Prakash Benedict, M/A46.

2. Angella Benedict

...Petitioners

Vs

1. State by,
The Inspector of Police,
F3, Nungambakkam Police Station,
Crime Branch,
Chennai – 600 034.
(Cr.No.110 of 2003)

2. Ashmi Johny, F/A20

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for the records relating to Crime No.110 of 2023 on the file of the 1st respondent and compromise quash the same.



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For Petitioners : Mr.E.Senthilnathan

For Respondent : Mr.A.Gopinath
Government Advocate [Crl.Side] [R1]

Mr.S.Vimal [R2]

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.110 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 compromise affidavit has been filed by both the parties before this Court. The petitioners and second respondent were also present in person before this Court and they were identified by Mr.P.Desingurajan, Sub-Inspector of Police, F3, Nungambakkam 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.110 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.110 of 2023 pending on the file of first respondent.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.110 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 petitioners shall pay a sum of Rs.1500/- each (Rupees Thousand Five



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Hundred only) as costs, to the credit of the **President, Salem Advocates**,
Clerk Association, Asthampatti Post, Salem, Indian Overseas Bank,
District Court, Branch, Salem – 7. A/c No.178001000000397, IFSC
Code:IOBA0001780), within a period of two (2) weeks from today and file
a photocopy of the receipt along with a memo reporting compliance in the
Registry.

31.08.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
mp

Note: Issue order copy on 07.09.2023

To

1. The Inspector of Police,
F3, Nungambakkam Police Station,
Crime Branch,
Chennai – 600 034.
2. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

mp

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