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Crl.O.P.No.23430 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.23430 of 2022

1. C.Arunkumar
 2. C.Rajamani
- .. Petitioners

Versus

1. State by:
The Inspector of Police,
Tiruchengodu Rural Police Station,
Namakkal.
[Crime No.442 of 2018]
 2. S.Sandya
- .. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the above F.I.R in Crime No.442 of 2018 on the file of the first respondent Police Station, quash the same.

For Petitioners : Mr.P.Kumaravel

For Respondents : Mr.A.Gopinath
Government Advocate (Crl. Side)
for R1



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ORDER

The Criminal Original Petition has been filed to quash the F.I.R in Crime No.442 of 2018, pending on the file of the first 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 memo of understanding which was executed by the first petitioner and the second respondent / de-facto complainant has been filed before this Court. The first petitioner and the second respondent were also present in person before this Court. In order to identify the respective parties, they have also produced the copies of the Aadhaar Cards and the Aadhaar Cards are made part of the record. It is stated that the petitioner and the second respondent had executed memorandum of understanding and amicably settled their issues in Crime No.442 of 2018. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



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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 Vs. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Crl 10**, this Court in exercise of its jurisdiction under Section 482 of Cr.P.C., quashes the First Information Report in Crime No.442 of 2018, on the file of the first respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.442 of 2018, on the file of the first respondent Police, is quashed and the terms of memo of understanding shall form part and parcel of this order.

12.07.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no



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1. The Public Prosecutor,
High Court of Madras.
2. The Inspector of Police,
Tiruchengodu Rural Police Station,
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N.ANAND VENKATESH, J.

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