



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 07.09.2023**

**CORAM**

**THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH**

**Crl.O.P No.19871 of 2023 and**  
**Crl.M.P No.13466 of 2023**

1.Saraswathi

2.Sankar Ganesh

Petitioners

vs.

1.The State,  
Represented by Inspector of Police,  
Mahalingapuram Police Station.

2.Mrs.Manjusha

Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Cr.No.83/2023 on the file of Inspector of Police, Mahalingapuram Police Station, Coimbatore and quash the F.I.R.

For Petitioner : M/s. M.Sivavarthan

For Respondent :Mr. A. Gopinath,  
Govt. Advocate-Crl. Side-R1

**ORDER**

The Criminal Original Petition has been filed to quash the



FIR in Crime No. 83 of 2023, pending on the file of the 1<sup>st</sup> 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 Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the defacto complainant and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.Parameswaran, Head constable Mahalingapuram Police Station, Coimbatore. In the joint compromise memo, it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Crime No.83 of 2023. 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 v. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.83 of 2023, on the file of the 1<sup>st</sup> respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.83 of 2023, on the file of the 1<sup>st</sup> respondent police, 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



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the President, Tamil Nadu Advocates Clerk Association,  
Cuddalore (Indian Overseas Bank, Pudupalayam, Cuddalore 1.  
A/c No.177801000003906 , IFSC Code:IOBA0001778) within a  
period of one week from the date of receipt of a copy of this  
order and file a photocopy of the receipt along with a memo  
reporting compliance in the Registry. Consequently, the connected  
miscellaneous petition is closed.

6. Post this case under the caption for reporting  
compliance on 29.09.2023.

07.09.2023

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

To

- 1.The Inspector of Police,  
Mahalingapuram Police Station.
- 2.The Public Prosecutor,  
High Court, Madras



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**N. ANAND VENKATESH, J.**  
rka/dpa

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