



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.21879 of 2023

1.M.Rajini

2.S.Priya

3.A.Chandra

... Petitioners

Vs.

1.The State Rep. by
The Inspector of Police,
H-3, Police Station,
Tondiarpet, Chennai.

2.Prema

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records relating to the impugned FIR in Crime No.74 of 2023 dated 27.03.2023 on the file of the 1st respondent and to quash the same insofar as the petitioners are concerned,

For Petitioners : Ms.V.Yashika

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



ORDER

WEB COPY This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.74 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 24.08.2023 signed by both petitioners and second respondent/*de facto* complainant and their respective counsel has been filed before this Court. A compromise 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 and they were identified by Mr.K.Krishnasamy, Sub Inspector of Police, H-3, Tondiarpet Police Station, Chennai. 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.74 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.



WEB COPY

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.74 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.74 of 2023 pending on the file of first respondent is quashed and the terms of affidavit shall form part and parcel of this order.

25.09.2023

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order
ssr



WEB COPY



N.ANAND VENKATESH, J

SSR

To

- 1.The Inspector of Police,
H-3, Police Station,
Tondiarpet, Chennai.
- 2.The Public Prosecutor,
High Court, Madras.

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