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Crl.O.P No.25631 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.25631 of 2022

and

Crl.M.P.No.15866 of 2022

Dr.GOPI, Male/aged about 47 years,
son of Dhanraj,
Registrars Quarters, Periyar University,
Kottagoundampatti Post,
Omalur Taluk, Salem.

... Petitioner/Single Accused

vs.

1. State by the Inspector of Police,
Karuppur Police Station,
Salem District.

2. Kaviya Preethi, Female/aged about 25 years,
D/o. Perumal,
No. 3/216, Thumbathulipatty,
Perumampatti,
Padhu Road, Salem.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for records in Crime No.264/2022 pending on the file of the first respondent police namely the Inspector of Police, Karuppur Police Station, Salem District and quash the same.



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CrI.O.P No.25631 of 2022

For Petitioner : Mr. V.Parthiban

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]
Mr.D.Dayalan [R2]

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.264/2022 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 Compromise Memo dated 02.08.2023 signed by both parties and their respective counsel has been filed before this Court. A compromise affidavit has 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 and they were identified by Mr.N.Vetrivel, Special Sub-Inspector of Police, Karupur Police Station, Salem City [94981 68214]. In the affidavit it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.264/2022 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 Gujraath)** 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.264/2022 pending on the file of first respondent.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.264/2022 pending on the file of first respondent is quashed and the Joint Compromise Memo dated 02.08.2023 and the terms of affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.



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N. ANAND VENKATESH., J

gm

Since the parties have compromised the dispute, it has to be taken as a complete relief from the criminal proceedings and the First Information Report cannot hereby become a ground for initiating any separate proceedings.

09.08.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
gm

To

1.The Inspector of Police,
Karuppur Police Station,
Salem District.

2.The Public Prosecutor,
High Court of Madras,
Madras.

CrI.O.P No.25631 of 2022