



Crl.O.P.No.22200 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.9.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.22200 of 2023

1.Karthik
2.Kamalakannan
3.Saravanan
4.Giri (a) Girivasan

...Petitioners

Vs.

1.State rep. by
The Inspector of Police,
Madipakkam Police Station,
Tambaram Commissionerate.

2.Manoj Kumar

...Respondents

Criminal Original Petition under Section 482 of the Criminal Procedure Code praying to call for the records relating to the FIR in Crime No.370 of 2019 on the file of the first respondent herein and quash the same against the petitioners.

For Petitioners : Mr.M.Vignesh
For Respondent-1 : Mr.A.Gopinath, GA (Crl.Side)



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ORDER

WEB COPY This Criminal Original Petition has been filed seeking to quash the the FIR in Crime No.370 of 2019 on the file of the first respondent.

2. The case is still at the stage of investigation before the respondent police. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably between themselves.

3. A joint compromise memo dated 28.8.2023 signed by both the petitioners and the *de facto* complainant namely the second respondent has been filed before this Court. A separate affidavit dated 28.8.2023 has been filed by the second respondent before this Court. The petitioners and the second respondent are also present before this Court and they are identified by Mr.S.Senguttuvan of Madipakkam 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.370 of 2019 on the file of the first respondent. This Court has also enquired both the parties and is satisfied that the parties have arrived at an



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amicable settlement between themselves.

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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 in the case of ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath [reported in 2017 (9) SCC 641]*** and after exercising due caution as advised by the Hon'ble Supreme Court in the case of ***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 the Criminal Procedure Code, quashes the case in the FIR in Crime No.370 of 2019 on the file of the first respondent.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in the FIR in Crime No.370 of 2019 on the file of the first respondent is quashed. The terms of the joint compromise memo dated 28.8.2023 and the terms of affidavit filed by the second respondent dated 28.8.2023 shall form part and parcel of this order. Each of the petitioner



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shall pay a sum of Rs.750/- (Rupees seven hundred and fifty only) as costs to the credit of the President, Advocates Clerk Association, Udumalpet (Bank of India, Udumalpet Branch, A/c No.824410110004383, IFSC Code:BKID0008244), 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.

Post this matter under the caption 'for reporting payment of cost' on 10.10.2023.

26.9.2023
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Office to Note:
Issue on 03.10.2023

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

To
1.The Judicial Magistrate, Alandur,
Chennai.
2.The Inspector of Police, S7
Madipakkam Police Station, Chennai.
3.The Public Prosecutor, High Court, Madras.

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N.ANAND VENKATESH,J

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