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Crl.O.P.No30021 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.30021 of 2022

Vignesh

... Petitioner

Vs.

1. The Inspector of Police,
S-15, Selaiyur Police Station,
Chennai.

2. M.Shanmugam

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in connection with the FIR No.1053 of 2015 dated 14.04.2015 on the file of the respondent Police, S-15, Sellaiyur Police Station and quash the same.

For Petitioner : Mr.K.Sudalai Kannu

For Respondent No.1 : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER



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The Criminal Original Petition has been filed to quash the FIR in Crime No.1053 of 2015, pending on the file of the 1st 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 petitioner and the defacto complainant and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.P.Perumal, Sub Inspector of Police, T-2, Selaiyur Police Station. In the joint compromise memo, it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Crime No.1053 of 2015. 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



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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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.1053 of 2015, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.1053 of 2015, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order.

31.07.2023

Index : Yes/No
Speaking order:Yes/No
Neutral citation:Yes/No
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To
WEB COPY

1. The Inspector of Police,
S-15, Selaiyur Police Station,
Chennai.
2. The Public Prosecutor
Madras High Court, Madras.

N.ANAND VENKATESH, J



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