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CrI.O.P.No.31529 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.31529 of 2022

Karunagaran

...Petitioners

vs.

1.The State Rep. by
The Inspector of Police,
E-10, Kayar Police Station,
Tamil Nadu-603 110

2.N.Devanbu @ Rajesh

...Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the case in Crime No.111 of 2022 on the file of the 1st respondent police and quash the same.

For Petitioners : Mr.P.Vinodh Kumar

For Respondents : Mr.A.Gopinath,
Government Advocate,
for R1
Mr.D.Vinothraj for R2

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.111 of 2022, pending on the file of the 1st respondent.



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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 and the affidavit of the second respondent have been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court. 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.111 of 2022. 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 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 Suprme Court in **The State of Madhya Pradesh v. Dhruv**



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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.111 of 2022, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.111 of 2022, on the file of the 1st 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.750/- (Rupees Seven Hundred and Fifty only) as costs, to the credit of the ***President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157)***, 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.

24.07.2023

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



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To

1. The Inspector of Police,
E-10, Kayar Police Station,
Tamil Nadu-603 110
2. The Public Prosecutor,
Madras High Court,
Chennai 600 104..



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N. ANAND VENKATESH, J.

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24.07.2023