



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.30422 of 2022

1.M.Vijayakumar, M/A-32
S/o.R.Muniyandi

2.R.Muniyandi M/A-65
S/o.P.Ramasamy

.. Petitioners/Accused 1 and 2

.Vs.

1.State rep.by its Inspector of Police
All Women Police Station
AWPS Anna Nagar
Chennai 600 040.

(Crime No.9 of 2022)

..1st Respondent/Complainant

2.Mrs.C.Sandya Vikashni
D/o.M.Chandrasekaran

.. 2nd Respondent/De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of the FIR in Crime No.9 of 2022, on the file of the first respondent and quash the same.



For Petitioners : Mr.S.P.Sudalaiyandi

For Respondents: Mr.A.Gopinath
Government Advocate (Crl.side)
for R1

Mr.A.Thiyagarajan, Senior Counsel
for Mr.Vinupradha for R2

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.9 of 2022, pending on the file of the first respondent Police.

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 Affidavit dated 20.09.2023 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present in person before this Court. In the affidavit, it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Crime No.9 of 2022. 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 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.9 of 2022, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.9 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.

20.09.2023

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



WEB COPY



4

N. ANAND VENKATESH, J.
KP

To

1. Inspector of Police
All Women Police Station
AWPS Anna Nagar
Chennai 600 040.

2. The Public Prosecutor
High Court, Madras.

Crl.O.P No.30422 of 2022

20.09.2023