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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.1.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P No.1516 of 2023

1.Mr.M.Karthik

2.Mr.J.Muthurajan

...Petitioners

Vs.

1.State rep.by

The Inspector of Police,
M-4 Redhills Police Station,
Redhills-52. Thiruvallur.

2.T.A.S.Sarbaraj Khan

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records and quash the first information report in Crime No.658 of 2022 on the file of M-4 Redhills Police Station, Chennai against the petitioners under the ground of compromise.

For Petitioners : Mr.R.Arunkumar

For Respondents 1 & 2 : Mr.A.Gopinath, GA (Crl.Side)

For Respondent-3 : Mr.G.Vinodhkumar

ORDER

The Criminal Original Petition has been filed to quash the first information report in Crime No.658 of 2022 on the file of the 1st respondent.

2. The case is still at the stage of investigation. However, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.



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3. The affidavit dated 25.1.2023 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present through Video conferencing and they were identified by Mr.TN.Jayakumar, Sub Inspector of Police, M4, Redhills, Chennai, who was also present at the time of hearing through Video conferencing. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and it is made part of the record. 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.658 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 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.658 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.658 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.2500/- each (Rupees Two thousand five hundred only) as costs, to the credit Tamil Nadu Advocates Clerk Association, High Court, Madras Account No.484026006, Indian bank, High Court Branch , IFSC Code No.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].* Consequently, the connected Miscellaneous Petition is also closed.

05.1.2024

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



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N. ANAND VENKATESH, J.

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To

1.The Inspector of Police (Crime),
M-4 Redhills Police Station,
Redhills-52. Thiruvallur.

2.The Public Prosecutor,
High Court, Madras.

Crl.O.P No.1516 of 2023

05.1.2024