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Crl.O.P.No.400 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.400 of 2024

and

Crl.M.P.No.272 of 2024

K.Florence

... Petitioner

Vs.

1. State represented by
the Inspector of Police,
T-1, Ambattur Police Station,
Chennai.
(Crime No.25 of 2023)

2. S.Armstrong

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, calling for the records in C.C.No.83 of 2023 pending on the file of the learned Judicial Magistrate, Ambattur and accept the joint compromise memo and quash the same.

For Petitioner

: Mr.Swami Subramanian

For R1

: Mr.A.Gopinath,
Government Advocate (Crl.Side)



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ORDER

The Criminal Original Petition has been filed to call for the records relating to the case in C.C.No.83 of 2023 on the file of the learned Judicial Magistrate, Ambattur and quash the same.

2. The case is still at the stage of trial. By passage of time, 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 2nd 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 C.C.No.83 of 2023. 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 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 ***the 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 Cr.P.C. quashes the case in C.C.No.83 of 2023, pending on the file of learned Judicial Magistrate, Ambattur. The petitioner shall pay a sum of Rs.1000/- (Rupees One Thousand 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.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.83 of 2023, pending on the file of the learned Judicial Magistrate, Ambattur is quashed and the terms of memo shall form



part and parcel of this order. consequently, connected miscellaneous petition
is closed.

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N. ANAND VENKATESH, J.

skr

6.Post this case under the caption 'For Reporting Compliance' on
29.01.2024.

09.01.2024

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

Note: Issue order copy by 12.01.2024.

To

1. The Inspector of Police,
T-1, Ambattur Police Station,
Chennai.

2. The Public Prosecutor,
Madras High Court,
Chennai.

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