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Crl.O.P.No.732 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2024

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THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.732 of 2024

Prasanna @ Chakravarty

... Petitioner

Vs.

1.The Inspector of Police,
T-19, Kelambakkam Police Station,
Kelambakkam,
Chennai 603 103,
Crime No.147/2023

2.Dr.M.Dougul Regis

...Respondents

Prayer: Criminal Original Petition is filed under Section 439 of the Code of Criminal Procedure to call for the records pertaining to the impugned FIR in CrNo.147 of 2023 dated 25.05.2023 pending on the file of the 1st respondent Police and quash the same.

For Petitioner

: Mrs.A.L.Ganthimathi for Mr.S.Babu

For RR1

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



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Crl.O.P.No.732 of 2



ORDER

The Criminal Original Petition has been filed to call for the records relating to the case in Cr.No.147 of 2023, on the file of the 1st respondent and quash the same.

2. The case is still at the stage of investigation. 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 and they were identified by Mr.B.Haridass, SI of Police, T-19, Kelambakkam Police Station, Kelambakkam, Chennai. 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 Cr.No.402/2021 pending on the file of the 1st respondent.



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4.This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5.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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Cr.No.402/2021, on the file of the 1st respondent Police.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Cr.No.147 of 2023, pending on the file of the 1st respondent, is quashed and the terms of affidavit shall form part and parcel of this order. *The petitioner shall pay a sum of Rs.2500/- (Rupees Two*



*Thousand and Five Hundred 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.

12.01.2024

sk

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To

1.The Inspector of Police,
T-19, Kelambakkam Police Station,
Kelambakkam,
Chennai 603 103.

2.The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No.732 of 2

N. ANAND VENKATESH, J.

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