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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.1808 of 2024
and Crl.MP.No.1275 of 2024

1.K.R.Ramesh

2.R.Priya

3.K.R.Krishnamoorthi

4.K.K.Geetha

.. Petitioners/A6 to A9

vs.

1. State rep.by
The Inspector of Police
CCB Police Station
Salem City.

..1st Respondent/Complainant

(Crime No.1 of 2022)

2. Durgashankar Dhakad

..2nd Respondent/De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records connected with the FIR in Cr.No.1 of 2022 pending investigation on the file of the 1st respondent police.

For Petitioners : Mr.M.Muruganantham

For Respondents : Mr.A.Gopinath
Government Advocate
for R1

**ORDER**

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

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

3. Affidavit of the 2nd respondent/de facto complainant dated 28.10.2023 signed by both the petitioners and the 2nd respondent has been filed before this Court. In the affidavit, it has been stated that the Lok Adalat award dated 27.7.2023 has been passed based on the terms of settlement arrived at between the parties in OS.No.318 of 2023, on the file of the Principal District Judge, Salem. The petitioners and the 2nd respondent/de facto complainant were also present in person before this Court and they were identified by A.Jayakumar, SSI, CCB-II, Salem. In the affidavit of the 2nd respondent/de facto complainant, it has been stated that the petitioners and the 2nd respondent have entered into a compromise and amicably settled their issues in Crime No.1 of 2022, pending on the file of the 1st respondent.

4. Under such circumstances, no useful purpose will be served in keeping the case 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)



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, quash the FIR in Crime No.1 of 2022, pending on the file of the 1st respondent.

5. This Criminal Original Petition stands allowed and as a sequel, investigation in Crime No.1 of 2022, pending on the file of the first respondent, is hereby quashed only insofar as the petitioners are concerned and the terms of affidavit of the 2nd respondent shall form part and parcel of this order. It is left open to the respondent police to proceed further as against the other accused persons in Crime No.1 of 2022 and complete the investigation as expeditiously as possible. Consequently, connected miscellaneous petition is closed.

04.03.2024

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

To

- 1.The Inspector of Police
CCB Police Station
Salem City.
2. The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH,. J.

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