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CrI. O.P. No.3650 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.3650 of 2024

N. John Daniel S/o. Naveen

... Petitioner

Vs.

1.The State Rep. by
The Inspector of Police,
B4 Sevvapet Police Station,
Tiruvallur District.
[Crime No.401 of 2023]

2. Hari Prasath S/o. Ravi

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records relating to the impugned FIR in Crime No.401 of 2023 on the file of the 1st respondent and to quash the same insofar as the petitioner is concerned.

For Petitioner : Mr. C. Mohanraj

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor
for R1



ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.401 of 2023 pending on the file of first respondent.

2. The learned Government Advocate (Crl. Side) submitted that investigation was completed and final report was filed before the learned Judicial Magistrate No.II, Tiruvallur and it was taken on the file in C.C. No.50 of 2024. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Memo of Compromise dated 19.02.2024 signed by both petitioner and second respondent/*de facto* complainant and their respective counsel has been filed before this Court. The petitioner and second respondent were also present in person before this Court. 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 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 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)** and after exercising due



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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 FIR in Crime No.401 of 2023 pending on the file of first respondent.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C. No.50 of 2024 [Cr. No.401 of 2023], on the file of the learned Judicial Magistrate No.II, Tiruvallur, is quashed in entirety for all the accused persons. The petitioner shall pay a sum of Rs.2,500/- (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 two weeks from today and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

19.02.2024

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



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N.ANAND VENKATESH, J

mjs

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- 1.The Inspector of Police,
B4 Sevvapet Police Station,
Tiruvallur District.
2. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.3650 of 2024

19.02.2024