



CrI.O.P.No.1801 of 2024

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.1801 of 2024

1.A.Bharath Kumar,
S/o.Ayyavu

2.R.Manikandan,
S/o.Raman

... Petitioners

Vs.

1.State represented by,
The Inspector of Police,
R3, Ashok Nagar Police Station,
Chennai.

2.N.Gopinath,
S/o.Nagarajan

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records pertaining to FIR in Crime No.163 of 2023 under Sections 294(b) and 324 IPC, dated 22.07.2023 pending on the file of the 1st respondent police station and quash the same as illegal and arbitrary.

For Petitioner : Mr.K.Sankar

For Respondents : Mr.A.Gopinath for R1
Government Advocate (Criminal Side)



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ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.163 of 2023, pending on the file of the 1st respondent.

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

3. The compromise affidavits dated 19.01.2024 have been filed by the petitioners and the 2nd respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.S.Chandra Mukil Augustinal, Sub Inspector of Police, R3 (Law and Order) Ashok Nagar Police Station, [Mobile: 7598070291]. In the affidavit it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Crime No.163 of 2023. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



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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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.163 of 2023, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.163 of 2023, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. Each petitioner shall pay a sum of Rs.750/- (Rupees Seven Hundred and Fifty 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,**

N.ANAND VENKATESH, J.



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WEB CODE: **IFSC Code:IDIB000M157**, within a period of one week from
the date of receipt of a copy of this order.

01.02.2024

Speaking Order/Non-speaking Order
Index :Yes/No
Neutral citation: Yes/No
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To

- 1.The Inspector of Police,
R3, Ashok Nagar Police Station,
Chennai.
- 2.The Public Prosecutor,
High Court, Madras.

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