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Criminal Original Petition No.3791 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.3791 of 2024
and
Crl.M.P.No.1508 of 2024

1.Mrs.R.Mahalakshmi
2.Mr.R.Ayyanar

... Petitioners

Vs.

1.The State
Represented by the Inspector of Police (Crime)
T-2, Ambattur Estate Police Station,
Ambattur, Thiruvallur District.
(Crime No.305 of 2022)

2.Mrs.Manjula ... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in respect of Crime No.305/2022 on the file of the 1st respondent and compromised and quash the same.

For Petitioner : Mr.Y.Venkatesan

For Respondents : Mr.A.Gopinath
Govt. Advocate (Crl.Side)



ORDER

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This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.305 of 2022 pending on the file of first respondent.

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. A Memorandum of Compromise deed dated 08.06.2022 signed by both parties has been filed before this Court. The petitioner and second respondent were also present in person before this Court. In the Memo of Compromise, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.305 of 2022 pending on the file of first respondent. 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 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 First Information Report in Crime No.305 of 2022 pending on the file of first respondent.

5. This Criminal Original Petition stands allowed, connected miscellaneous petition is also closed and as a sequel, the First Information Report in Crime No.305 of 2022 pending on the file of first respondent, is quashed and the terms of Joint Compromise Memo dated 08.06.2022 and the terms of affidavits shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.1,500/- (Rupees One Thousand and Five Hundred only) as costs, to the credit of the **President, Tamil Nadu Advocate's Clerk's Association, High Court Buildings, Madras, A/c No.484026006 IFSC Code:IDIB000M157**, within a period of two (2)



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weeks from today and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

6. By virtue of quashing the FIR in this case, the petitioners have also agreed that they will co-operate for the quashing of the FIR that has been challenged before the Madurai Bench of this Court and pending in Crl.OP.Md.No.18930 of 2022, on the ground of compromise.

7. Post this case under the caption 'for reporting compliance' on 06.03.2024.

21.02.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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To:

- 1.The Inspector of Police (Crime)
T-2, Ambattur Estate Police Station,
Ambattur, Thiruvallur District.
- 2.The Public Prosecutor,
High Court, Madras.

N.ANAND VENKATESH, J.

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