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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.4539 of 2024

1.M.A.Dhandapani

2.D.Chamundeeswari

3.G.Dinesh

...Petitioners / Accused 1 -3

.Vs.

1.Inspector of Police

Avadi Central Crime Branch

Avadi Commissionerate, Avadi

Chennai.

.. 1st Respondent/Complainant

2.Muthuselvan

.. 2nd Respondent/De facto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pursuant to FIR in Cr.No.6 of 2023, on the file of the Inspector of Police, Avadi, CCB Avadi, Commissionerate, Avadi and quash the same.

For Petitioners : Mr.A.Ganesh

For Respondents : Mr.A.Gopinath

Government Advocate (Crl.Side) for R1

ORDER

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This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.6 of 2023, pending on the file of the 1st respondent.

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.A Joint Compromise Memo dated 29.1.2024 signed by both petitioners and the second respondent/de facto complainant and their respective counsel has been filed before this Court. Consent affidavit of the 2nd respondent has also been filed before this Court. In order to identify the respective parties they have also produced the copy of the Aadhaar Card is made part of the record. The petitioners and the 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. In the Joint Compromise Memo, it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Crime No.6 of 2023.

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 Gujath)** 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, quash the FIR in Crime No.6 of 2023, pending on the file of the 1st respondent

5.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.6 of 2023, on the file of the 1st respondent is quashed and the terms of joint compromise and consent affidavit of the 2nd respondent shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.1,500/- (Rupees one thousand five hundred only) as costs, to the credit of the **President, Tamil Nadu Advocate's 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 the date of receipt of copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

6.Post this case for reporting compliance on **21.3.2024**.

01.03.2024

Speaking Order/Non-Speaking Order

Index: Yes/No

Internet: Yes/No

kp

<https://www.mhc.tn.gov.in/judis/> Note: Issue order copy on **7.3.2024**



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N.ANAND VENKATESH.J.,

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To

1. Inspector of Police
Avadi Central Crime Branch
Avadi Commissionerate, Avadi
Chennai.
2. The Public Prosecutor,
High Court of Madras,
Madras.

CRL.O.P No.4539 of 2024

01.03.2024