



WEB COPY



CrI.O.P.No.2480 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.2480 of 2023

Veera Kumar

... Petitioner

Vs.

1.The State

Rep. by Inspector of Police
Namakkal Rural Police Station,
Namakkal
Namakkal District.
(F.I.R. No.74 of 2022)

2.N.Sudhagar

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to quash the proceedings in F.I.R. No.74 of 2022 before the first respondent.

For Petitioner : Mr.A.Sundara Vadhanan
For Respondents : Mr.A.Gopinath for R1
Government Advocate (CrI. Side)

O R D E R

The criminal original petition has been filed seeking to quash the F.I.R. in Crime No.74 of 2022, pending on the file of the first



Crl.O.P.No.2480 of 2023

respondent.

WEB COPY

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 learned Government Advocate (Crl. Side) opposed the quashing of the F.I.R. on the ground that the petitioner is a history sheeter in HS No.603 of 2017 and history sheet is maintained by the first respondent. The learned Government Advocate (Crl. Side) submitted that there are nearly seven pending cases against the petitioner.

4.This Court specifically asked the second respondent as to whether he had voluntarily compromised the dispute with the petitioner and the second respondent stated that there was a money transaction between him and the petitioner and now it has been resolved. The second respondent stated that he does not want to prosecute this case further.

5.The Joint Compromise Memo dated 26.03.2024 has been filed



CrI.O.P.No.2480 of 2023

before this Court which have been signed by the petitioner and the second respondent. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.A.Arunachalam, Special Sub Inspector of Police, Namakkal Police Station. In the Joint Compromise Memo it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Crime No.74 of 2022. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6.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 Gujrat)**, and after exercising due caution as advised by the Hon'ble Supreme Court in **The State of Madhya Pradesh Vs. 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.74 of 2022, on the file of the first respondent Police.



CrI.O.P.No.2480 of 2023

WEB COPY

7.This criminal original petition stands allowed and as a sequel, the proceedings in Crime No.74 of 2022, on the file of the first respondent police, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order.

8.It is made abundantly clear that the F.I.R. in this case has been quashed only on the ground of compromise. Therefore, it is left open to the first respondent to prosecute the other cases that are pending against the petitioner.

27.03.2024

pri

Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

1.The Inspector of Police
Namakkal Rural Police Station,
Namakkal
Namakkal District.
(F.I.R. No.74 of 2022)

2.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

4/5



WEB COPY



CrI.O.P.No.2480 of 2023

N.ANAND VENKATESH,J.
pri

CrI.O.P.No.2480 of 2023

27.03.2024