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Crl. O.P. Nos.2616 and 3638 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.Nos.2616 and 3638 of 2024

Crl.O.P.Nos.2616 of 2024

1. Baskaran S/o. Mani
2. Lakshmi Deepak S/o. Baskaran
3. Udhayakumar S/o. Mani
4. Pradeep S/o. Mani

... Petitioners

Crl.O.P.Nos.3638 of 2024

1. Nagarajan S/o. Varathan
2. V. Saravanan S/o. Varathan
3. Sathish S/o. Ramesh
4. Elangovan S/o. Varathan

... Petitioners

Vs.

- 1.The State Rep. by
The Inspector of Police,
R11 Ramapuram Police Station,
Ramapuram, Chennai District.

... 1st Respondent common in
both Crl. O.P.s

- 2.Nagaraj S/o. Varathan
Baskaran S/o. Mani

...2nd Respondent in Crl. O.P No.2616 of 2024
... 2nd Respondent in Crl. O.P. No.3638 of 2024

3. Saravanan S/o. Varathan

... 3rd Respondent in Crl. O.P. No.2616 of 2024



COMMON PRAYER : Criminal Original Petitions filed under Section 482 of the Code of Criminal Procedure to call for the records relating to the impugned FIRs in Crime No.364 of 2023 and Crime No.365 of 2023 respectively on the file of the 1st respondent and to quash the same insofar as the petitioners are concerned.

For Petitioners : Ms. K. Kanimozhi
[both Crl. O.Ps.]

For Respondents : Mr.A. Gopinath
[both Crl. O.Ps.] Government Advocate [for R1]

COMMON ORDER

These Criminal Original Petitions have been filed seeking to quash the proceedings in Crime No.364 of 2023 and Crime No.365 of 2023 respectively, pending on the file of first respondent and to stay all further proceedings in the above Cr. No.364 of 2023 and Crime No.365 of 2023 till disposal of the Criminal Original Petitions.

2. The cases are 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 Joint Memo of Compromise dated 29.01.2024 signed by both petitioners



and second respondent/*de facto* complainant and their respective counsel has been filed before this Court. A compromise affidavit has also been filed by the second respondent/de-facto complainant before this Court. In Crl. O.P. No.2616 of 2024, the victim has also filed a compromise affidavit before this Court. In the affidavits, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime Nos.364 of 2023 and Crime No.365 of 2023 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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the FIRs in Crime No.364 of 2023 and Crime No.365 of 2023 pending on the file of first respondent.



5. This Criminal Original Petitions stand allowed and as a sequel, the proceedings in Crime No.364 of 2023 and Crime No.365 of 2023, on the file of the 1st respondent police, are quashed and the terms of affidavit shall form part and parcel of this order. Each of the petitioners 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, 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
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N.ANAND VENKATESH, J

mjs

To

- 1.The Inspector of Police,
R11 Ramapuram Police Station,
Ramapuram, Chennai District.
2. The Public Prosecutor,
High Court, Madras.

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