



WEB COPY



Criminal Original Petition No.5816 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.5816 of 2024

S.Vishnu
S/o.Selvam

... Petitioner

Vs.

1. State rep. By
The Inspector of Police,
Mamallapuram E-1 Police Station,
Mamallapuram,
Chengalpattu District.
Crime No.1083 of 2020

2. Malarvizhi
D/o.Raja

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for records pertaining to the FIR in Crime No.1083 of 2020 on the file of the first respondent and quash the same on the ground of compromise entered into between the petitioner and second respondent by allowing this Criminal Original Petition.

For Petitioner : Mr.R.Prabakar

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor[R1]



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ORDER

WEB COPY This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.1083 of 2020 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 Joint Compromise Memo dated 04.02.2024 signed by both parties and affidavits of petitioner and second respondent have been filed before this Court. The petitioner and second respondent were also present in person before this Court. In the Joint Memo of Compromise and in the affidavits, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.1083 of 2020 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



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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.1083 of 2020 pending on the file of first respondent.

5. This Criminal Original Petition stands allowed and as a sequel, the First Information Report in Crime No.1083 of 2020 pending on the file of first respondent, is quashed and the terms of Joint Compromise Memo dated 04.02.2024 and the terms of affidavits shall form part and parcel of this order.

11.03.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

gm

N.ANAND VENKATESH, J.



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gm

To

1. The Inspector of Police
Mamallapuram E-1 Police Station
Mamallapuram
Chengalpattu District
2. The Public Prosecutor
Madras High Court, Chennai - 104

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