



WEB COPY



Crl.O.P.Nos.4680 & 4696 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.Nos.4680 & 4696 of 2024

and

Crl.M.P.Nos.3408 & 3418 of 2024

1.Dhanalakshmi

2.Johith @ Johithadhithya

3.Velusamy

.. Petitioners
(in both cases)

Vs.

State by

1.The Inspector of Police,
District Crime Branch, Erode,
Erode District.
(Cr.No.24 of 2019)

2.Pranesh

.. Respondents
(in Crl.O.P.No.4680 of 2024)

State by

1.The Inspector of Police,
District Crime Branch, Erode,
Erode District.
(Cr.No.23 of 2019)

2.M.Saminathan

.. Respondents
(in Crl.O.P.No.4696 of 2024)



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Common Prayer: Criminal Original Petitions filed under Section 482 of the Code of Criminal Procedure to call for the entire records concerned in Cr.Nos.24 of 2019 & 23 of 2019 on the file of the Inspector of Police, District Crime Branch, Erode, Erode District and quash the same in so far as the petitioners are concerned.

(In both cases):

For petitioners	:	Mr.C.Prakasam
For R1	:	Mr.A.Gopinath Government Advocate (Crl. Side)
For R2	:	MrC.S.Saravanan

COMMON ORDER

These Criminal Original Petitions have been filed seeking to quash the FIR in Crime Nos.23 & 24 of 2019 pending investigation on the file of the 1st respondent on the ground of compromise.

2.The learned counsel for the petitioners and the learned counsel appearing on behalf of the 2nd respondent in both petitions submitted that the parties have reached the compromise, whereby in each case, the



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petitioners are settling the amount of Rs.5,00,000/- (Rupees Five Lakhs Only) to the respective 2nd respondent in each petition. During the hearing, the Demand Drafts that have been taken in the name of the 2nd respondent in each petition to the tune of Rs.4,50,000/- (Rupees Four Lakhs and Fifty Thousand) was also handed over to the counsel appearing on behalf of the 2nd respondent in both cases. Out of the balance amount of Rs.1,00,000/- (Rupees One Lakh Only) a sum of Rs.45,000/- (Rupees Forty Five Thousand Only) by way of cash was also entrusted to the learned counsel for the 2nd respondent. The balance amount of Rs.55,000/- (Rupees Fifty Five Thousand Only) has been undertaken to be paid by today.

3.The 2nd respondent in each petition who were present before this Court in person also confirmed that they have reached a compromise. They also requested this Court to quash the FIR in terms of the compromise between the parties.

4.Under such circumstances, no useful purpose will be served in keeping the First Information Reports pending, even though, the offences



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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 Reports in Crime Nos.23 & 24 of 2019, on the file of the 1st respondent Police.

5.The learned Government Advocate (Crl.Side) submitted that the final report has been filed in both the cases before the learned Judicial Magistrate-II, Erode on 01.03.2024 and 05.03.2024 respectively and e-filing numbers have also been furnished.

6.In view of the compromise between the parties which has resulted in quashing of both the FIRs, there shall be a direction to the learned Judicial Magistrate – II, Erode, not to entertain both the final reports and to take note of the quashing of both the FIRs and close the final reports.



08.03.2024

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

3.The Public Prosecutor,
Madras High Court,
Chennai.



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N.ANAND VENKATESH, J.

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