



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.5226 of 2024

1.Thiruvengadam

2.Geetha

.. Petitioners/Accused 1&2

vs.

1.State rep.by
The Inspector of Police
Peravallur Police Station
Peravallur
Chennai.

..Respondent/Complainant

2.M.Prabakaran

.. Respondent/De facto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records in FIR registered in Cr.No.306 of 2022, for the offence u/s.336 and 338 of IPC pending on the file of the 1st respondent police and quash the same insofar as the petitioners are concerned.

For Petitioners : Mr.M.Govindaraju

For Respondents : Mr.A.Gopinath
Government Advocate
for R1

Mr.M.Saravanan for R2

**ORDER**

WEB COPY

The Criminal Original Petition has been filed to quash the FIR in Crime No.306 of 2022, pending on the file of the 1st respondent police.

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.W.P.No.33930 of 2022 was filed in which the parties were referred to mediation and the mediator was able to arrive at a settlement between the parties. The 2nd respondent who is the injured in this case was present before this Court along with his wife Tamil Selvi and they stated that they have compromised the matter with the petitioners and they have also received the compensation amount. They requested this Court to close this case.

4. Memorandum of compromise between the parties dated 21.2.2024, signed by both the parties has been filed before this Court. The petitioners, 2nd respondent/de facto complainant were also present in person before this Court. In the memorandum of compromise, it has been stated that the parties have entered into a compromise and amicably settled their issues in Crime No.306 of 2022 pending on the file of the 1st respondent.



5. 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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C, quash the FIR in Crime No.306 of 2022 , pending on the file of the 1st respondent.

5. This Criminal Original Petition stands allowed and as a sequel, investigation in Crime No.306 of 2022, pending on the file of the first respondent, is hereby quashed and the terms of Memorandum of Compromise shall form part and parcel of this order.

04.03.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
kp

To

1.The Inspector of Police
Peravallur Police Station
Peravallur
Chennai.

2. The Public Prosecutor,
High Court of Madras,



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N. ANAND VENKATESH,, J.
kp

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