



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.5108 of 2024
and CrI.MP.No.3714 of 2024

M.V.Prakash

...Petitioner /Accused

.Vs.

1.The State rep.by
Inspector of Police
Central Crime Branch, Team III
EDF-II, Chennai.

(Crime No.440 of 2018)

2.Mrs.Sugunthala

..2nd Respondent/De facto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in Cr.No.440 of 2018, on the file of the Central Crime Branch, Team III, EDF II, Chennai and quash the same.

For Petitioners : Ms.MF.Shabana

For Respondents : Mr.A.Gopinath
Government Advocate (Crl.Side) for R1

Mr.C.Vidhusan for R2

ORDER

This Criminal Original Petition has been filed seeking to quash the FIR



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. Memorandum of Understanding dated 24.2.2024 signed by both petitioner and the second respondent/de facto complainant and the witnesses has been filed before this Court. In order to identify the respective parties they have also produced the copy of the Aadhaar Card is made part of the record. The petitioner and the second respondent were also present in person before this Court. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. In the Joint Memo of Compromise, it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Crime No. 440 of 2018.

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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C, quash the FIR in Crime



No.440 of 2018, pending on the file of the 1st respondent

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5.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.440 of 2018, pending on the file of the 1st respondent is quashed and the terms of Memorandum of Understanding shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1,500/- (Rupees One thousand five hundred only) as costs, to the credit of the **President, Tamil Nadu Advocate's 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 the date of receipt of copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Consequently, connected miscellaneous petition is closed.

6.Post this case for reporting compliance on **21.3.2024.**

01.03.2024

Speaking Order/Non-Speaking Order

Index: Yes/No

Internet: Yes/No

kp

Note: Issue order copy on **7.3.2024**

To

1.Inspector of Police
Central Crime Branch, Team III
EDF-II, Chennai.

2.The Public Prosecutor,
High Court of Madras,
Madras.



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N.ANAND VENKATESH.J.,

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