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Crl.O.P.No.5949 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.5949 of 2024

Vijayaraj

.. Petitioner

Vs.

1.State of Tamil Nadu,
Inspector of Police,
Arakonam Taluk Police Station,
Ranipet.

2.Sivapatham

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records relating to Crime No.480 of 2023 on the file of the 1st respondent Police and quash the same.

For petitioner : Mr.B.Ramesh Babu

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

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.480 of 2023, pending on the file of the 1st respondent.



Crl.O.P.No.5949 of 2024

WEB COPY

2.The case is still at the stage of investigation. The parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3.The Joint Memo of Compromise has been filed before this Court which has been signed by the petitioner, the 2nd respondent and by the learned counsel for the petitioner. The petitioner and the 2nd respondent were also present in person before this Court and they were identified by Mr.A.Senthilkumar, SI, Arakonam Taluk PS, (Mobile No.9498123344). In the Joint Memo of Compromise it has been stated that the petitioner and the 2nd respondent had entered into a compromise and amicably settled their issues in Crime No.480 of 2023. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4.The petitioner was arrested and remanded to Judicial custody. The petitioner filed bail petition before this Court in Crl.O.P.No.1200 of 2024. By order dated 23.01.2024, the petitioner was enlarged on bail



Crl.O.P.No.5949 of 2024

subject to the condition that the petitioner shall deposit a sum of Rs.75,000/- (Rupees Seventy Five Thousand Only) to the credit of Crime No.480 of 2023. Accordingly, the petitioner has also deposited the said amount. In view of the compromise between the parties, it is left open to the petitioner to file memo before the Court below and seek for withdrawal of the amount deposited in Crime No.480 of 2023. The memo shall be allowed and the petitioner shall be permitted to withdraw the amount.

5.Under such circumstances, no useful purpose will be served in keeping the First Information Report 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 First Information Report in Crime No.480 of 2023, on the file of the 1st respondent.



Crl.O.P.No.5949 of 2024

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.480 of 2023, on the file of the 1st respondent police, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1,500/- (Rupees One Thousand and Five Hundred 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 one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

7.Post this case under the caption 'For Reporting Compliance' on 01.04.2024.

12.03.2024

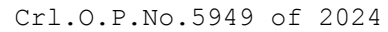
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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

NOTE: Issue order copy on 18.03.2024.



- 1.The Judicial Magistrate,
Arakonam.
- 2.State of Tamil Nadu,
Inspector of Police,
Arakonam Taluk Police Station,
Ranipet.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

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Crl.O.P.No.5949 of 2024

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Crl.O.P.No.5949 of 2024

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