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Criminal Original Petition No.5761 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.5761 of 2024

1.Mari @ Mariyappan
S/o.Baskaran

2.Mohanraj
S/o.Balakrishnan

3.Sugumar
S/o.Srinivasan

4.Vigneshwaran
S/o.Ravichandran

5.Bharath
S/o.Gajendran

... Petitioners

Vs.

1.State of Tamil Nadu,
Inspector of Police,
H-5, New Washermenpet Police Station,
Chennai.

2.Ram
S/o.Ezhumalai

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records relating to FIR No.451 of 2023 on the file of first respondent police and quash the same.



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For Petitioners : Mr.M.Illiyas

For Respondents : Mr.A.Gopinath
Govt. Advocate (Crl.side) [R1]

ORDER

This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.451 of 2023 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 01.03.2024 signed by both parties and affidavit of second respondent has 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 affidavit, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.451 of 2023 pending on the file of first respondent. This Court also



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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 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.451 of 2023 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.451 of 2023 pending on the file of first respondent, is quashed in entirety and the terms of Joint Compromise Memo dated 01.03.2024 and the terms of affidavit shall form part and parcel of this order. Each of the petitioner shall pay a sum



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N.ANAND VENKATESH, J

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of Rs.750/- (Rupees Seven Hundred and Fifty only) as costs, to the credit of the President, Tamil Nadu Advocate's Clerk's Association, High Court Buildings, Madras, A/c No.484026006 IFSC Code:IDIB000M157, within a period of two (2) weeks from today and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

Post this case under the caption 'for reporting compliance' on 01.04.2024.

15.03.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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To

1.The Inspector of Police,
H-5, New Washermenpet Police Station,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

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