



Criminal Original Petition No.5901 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 15.03.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Criminal Original Petition No.5901 of 2024**

1.Arunkumar  
S/o.Vivekanandan

2. Bharath  
S/o.Mohanasundaram

3. Rithin Babu  
S/o.Sureshbabu

... Petitioners

**Vs.**

1. State Inspector of Police  
M1 Madhavaram Police Station  
Chennai.  
Crime No.78 of 2023

2. Vimal Kumar  
S/o.Prem Kumar

... Respondents

**Prayer:** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records of the proceedings in Cr.No.78 of 2023 on the file of the respondent police and quash the same.



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For Petitioners : Mr.S.Senthilvel

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

This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.78 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 signed by both parties and affidavits of petitioners and second respondent have been filed before this Court. The petitioners and second respondent were also present in person before this Court and they were identified by Mr.Sonaimuthu, Sub-Inspector of Police, M-1 Madhavaram Police Station [94981 28411]. In the Joint Memo of Compromise and in the affidavits, it has been stated that the



petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.78 of 2023 pending on the file of first respondent. This Court also 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.78 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.78 of 2023 pending on the file



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of first respondent, is quashed insofar as the petitioners [A1 to A3] herein are concerned and the terms of Joint Compromise Memo and the terms of affidavits shall form part and parcel of this order. Each of 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 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.

6. The investigation in Crime No.78 of 2023 on the file of first respondent can continue insofar A4 and A5 are concerned and the final report shall be filed as expeditiously as possible.

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

**15.03.2024**

Speaking Order/Non-speaking Order  
Index : Yes/No



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Neutral citation: Yes/No  
gm

To

- 1.The Inspector of Police  
M1 Madhavaram Police Station  
Chennai
- 2.The Public Prosecutor,  
High Court, Madras.



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**N.ANAND VENKATESH, J.**

gm

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