



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.7310 of 2024

Rakesh

...Petitioner /Single Accused

.Vs.

1.State rep.by
The Inspector of Police
K2-Ayyanavaram Police Station
Chennai-23.

.. 1st Respondent

2.Stella Mary

..2nd Respondent/De facto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the FIR in Cr.No.449 of 2022, on the file of the Inspector of Police, K2 Ayanavaram Police Station at Chennai.

For Petitioner : Mr.N.Naresh

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

ORDER

The Criminal Original Petition has been filed seeking to quash the FIR in Crime No.449 of 2022, pending on the file of the 1st respondent police.



WEB COPY

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. A Joint Compromise Memo dated 20.3.2024, has been filed before this Court which has been signed by the petitioner and the 2nd respondent. The petitioner and the 2nd respondent/de facto complainant were also present in person 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. In the joint compromise memo, it has been stated that the petitioner and the 2nd respondent have entered into a compromise and amicably settled their issues in Crime No.449 of 2022, pending on the file of the 1st respondent.

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 Gujraht)** 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.449 of 2022, pending on the file of the 1st respondent.



WEB COPY

5. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.449 of 2022, pending on the file of the first respondent, is hereby quashed and the terms of Joint Compromise Memo shall form part and parcel of this order.

26.03.2024

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

To

1.The Inspector of Police
K2-Ayyanavaram Police Station
Chennai-23.

2.The Public Prosecutor
High Court, Madras.



WEB COPY



N.ANAND VENKATESH.,J

kp

CRL.O.P No.7310 of 2024



WEB COPY



26.03.2024