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Crl.O.P.No.6804 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.6804 of 2024

1.P.Ramkumar
2.Raga Priyanga
3.Sangami
4.S.Karthick
5.Anguraj

... Petitioners

Vs.

1.The State
Rep. by its Inspector of Police,
Thousand Lights Police Station,
Chennai – 600 008.
(Crime No.182 of 2023)

2.Jai Ganesh

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records and quash the F.I.R. in Crime No.182 of 2023 for the alleged offences under Section 406 and 420 of I.P.C., pending investigation on the file of the first respondent.

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

O R D E R



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The criminal original petition has been filed seeking to quash the F.I.R. in Crime No.182 of 2023, pending on the file of the first respondent based on the settlement that has been arrived at between the parties.

2.A dispute arose between the parties and it was alleged that the first petitioner had demanded a sum of Rs.3,50,000/- for getting a job opportunity and towards the said demand, a sum of Rs.1,50,000/- was paid by the defacto complainant. The first petitioner thereafter went back on the promise. It is under these circumstances, the complaint was given by the second respondent and the F.I.R. came to be registered.

3.During the pendency of the investigation, the first petitioner moved a bail application before the learned XIV Metropolitan Magistrate, Egmore in Crl.M.P.No.43531 of 2023. At that point of time, the first petitioner undertook to settle the entire amount of Rs.1,50,000/- to the defacto complainant and an affidavit was also filed to that effect. Based on the same bail was also granted by an order dated 05.10.2023.



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4.Pursuant to the above undertaking, a sum of Rs.1,50,000/- was transferred to the bank account of the second respondent on 09.10.2023 by way of NEFT. Thus there was a settlement between the parties.

5.When the matter came up for hearing today, the second respondent appeared through the Video Conferencing Platform and submitted that the matter has been settled between the parties and the entire amount has been settled in his favour. He therefore expressed his willingness to compromise the dispute.

6.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 Vs. 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.182 of 2023, on the file of the first



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respondent Police.

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7.This criminal original petition stands allowed and as a sequel, the proceedings in Crime No.182 of 2023, on the file of the first respondent police, is quashed. Each of the petitioners shall pay a sum of Rs.750/- (each Rupees Seven Hundred and Fifty 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.

27.03.2024

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

1.The Inspector of Police,
Thousand Lights Police Station,
Chennai – 600 008.
(Crime No.182 of 2023)

2.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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N.ANAND VENKATESH,J.
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