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Crl.O.P.No.7621 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.7621 of 2024

And

Crl.M.P.No.5521 of 2024

Madhaw Chandra Jha

... Petitioner

Vs.

1.State Rep. by
The Inspector of Police
Traffic Investigation Wing – Adyar,
Chennai – TIW East.
Crime No.23 of 2024.

2.Arockiyaraj
3.Manibalan

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the entire records in F.I.R. registered in Crime No.23 of 2024 for the offences under Section 308, 337 of IPC r/w Sections 184 and 185 of Motor Vehicles Act, 1988 pending on the file of first respondent police and quash the same.

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



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ORDER

The criminal original petition has been filed seeking to quash the F.I.R. in Crime No.23 of 2024, pending on the file of the first respondent.

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 dated 19.03.2024 has been filed before this Court which have been signed by the petitioner and the respondents 2 and 3 before the Notary Public, Chennai. The petitioner and the respondents 2 and 3 were also present in person before this Court. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and they are made part of the record. In the Joint Memo of Compromise it has been stated that the petitioner and the respondents 2 and 3 had entered into a compromise and amicably settled their issues in Crime No.23 of 2024. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



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4.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.23 of 2024, on the file of the first respondent Police.

5.This criminal original petition stands allowed and as a sequel, the proceedings in Crime No.23 of 2024, on the file of the first 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.5,000/- (Rupees Five Thousand 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)**,



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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. Consequently, the connected miscellaneous petition is closed.

27.03.2024

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

- 1.The Inspector of Police
Traffic Investigation Wing – Adyar,
Chennai – TIW East.
Crime No.23 of 2024.
- 2.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

CrI.O.P.No.7621 of 2024
And
CrI.M.P.No.5521 of 2024

27.03.2024