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Criminal Original Petition No.7833 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.7833 of 2024

1.Gandhi

S/o.Munisamy

2.Viji

S/o.Gandhi

3.Tamilselvan

S/o.Natarajan

... Petitioners

Vs.

1.State represented by

The Inspector of Police,
Jolarpet Police Station,
Thiruppathur District.

2.Kannadasan

S/o.Manikkam

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records pending on the file of first respondent in Crime No.569 of 2023 and quash the same.

For Petitioners : Mr.E.Kannadasan

For Respondents : Mr.A.Gopinath

Government Advocate (Crl.side) [R1]



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ORDER

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This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.569 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 25.03.2024 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.Kumaresan, Grade II Police Constable 858, Jolarpet Police Station [80984 61523]. 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.569 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



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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.569 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.569 of 2023 pending on the file of first respondent, is quashed and the terms of Joint Compromise Memo dated 25.03.2024 and the terms of affidavits shall form part and parcel of this order. Each of the petitioner shall pay a sum 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

N.ANAND VENKATESH, J.



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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 12.04.2024.

28.03.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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To

1.The Inspector of Police,
Jolarpet Police Station,
Thiruppathur District.

2.The Public Prosecutor,
High Court, Madras.

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