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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP No.9822 of 2023

1.R.Anbu

2.P.Prathaban

3.P.Kuppan @ Kuppusamy

4.E.Kanthasamy

5.M.Parthasarathi

6.D.Kumaran

7.P.Vinayagam

8.D.Arumugam

9.B.Dhayalan

10.S.Madhan

..Petitioners/ Accused

.Vs.

1.The State rep.by

The Inspector of Police

Sub E-5 Koovathur Police Station

Chengalpattu District.

..Respondent/Complainant

(Crime No.243 of 2022)

2.Velayutham

.. Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to the registration of the First Information Report in Cr.No.243 of 2022 dated 29.9.2022 on the file of the first respondent herein and quash the same.



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For Petitioners : Mr.M.Elumalai

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

Mr.K.Varatharosan for R2

ORDER

This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.243 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.Mr.S.Sekar, S.I, E-5 Koovathur Police Station, Chengalpattu District, was present before this Court submitted that he is enquired the parties and it was informed by the 2nd respondent that the matter has been amicably settled between the parties.

4. Joint Compromise Memo dated 10.04.2023 signed by both petitioners and the second respondent/De facto Complainant and their respective counsel has been filed before this Court. In order to identify the respective parties they have also produced the copies of the Aadhaar Card are



made part of the record. The petitioners and the 2nd respondent were also present in person before this Court. In the Joint Compromise Memo, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.243 of 2023, pending on the file of the first respondent. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5. 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 Gujath)** 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.243 of 2023, pending on the file of first respondent.

6.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.243 of 2023, pending on the file of first respondent is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.500/- (Rupees five hundred only) as costs, to the credit of the **President, Tamil**



Nadu Advocate's Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157),

within a period of two weeks from the date of receipt of copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

7.Post this case for reporting compliance on **14.2.2024**

30.01.2024

Speaking Order/Non-Speaking Order

Index: Yes/No

Internet: Yes/No

kp

Note: Issue order copy on **5.2.2024**



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To

- 1.The Inspector of Police
Sub E-5 Koovathur Police Station
Chengalpattu District.
- 2.The Public Prosecutor,
High Court of Madras,
Madras.



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N.ANAND VENKATESH.J.,

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