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Crl.O.P.No.22949 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2024

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THE HONOURABLE MR JUSTICE N.ANAND VENKATESH

Crl.O.P.No.22949 of 2023

1. Sumithra
2. Prasath @ Lochan Prasath .. Petitioners

Vs.

1. State : Rep. by
The Inspector of Police,
K-8, Arumbakkam Police Station,
Chennai.

2. Chitra .. Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C.

to call for the records in Crime No.1084 of 2020 on the file of the 1st
respondent police and quash the same.

For Petitioners : Mr.R.Muthukumar

For Respondent
No.1 : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER



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The Criminal Original Petition has been filed to quash the FIR in Crime No.1084 of 2020, pending on the file of the 1st 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 Memorandum of Undertaking dated 01.11.2022 has been filed before this Court which have been signed by the petitioners and the 2nd respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.C.Mariadhas, Sub Inspector of Police, K-8 Arumbakkam Police Station, Chennai 106. In the Memorandum of Undertaking it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Crime No.1084 of 2020. 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 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 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.1084 of 2020, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.1084 of 2020, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.1,000/- (Rupees One Thousand only) as costs, to the credit of the **President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian**

N.ANAND VENKATESH, J.

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Bank, High Court Branch, A/c No.484026006, IFSC

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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. Consequently, connected miscellaneous petition is also closed.

Index : Yes/No
Internet : Yes/No
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22.01.2024

To

1. The Inspector of Police,
K-8, Arumbakkam Police Station,
Chennai.
2. The Public Prosecutor,
High Court, Madras.

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