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Crl.O.P.No.21889 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.21889 of 2023

1. Vinoth

2. Saravanan

3. Bharath

4. Moorthi

5. Prabha

... Petitioners

Vs.

1. The State represented by
the Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai District.

2. Hariharan

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, calling for the records and quash the further proceedings in Crime No.369 of 2023 pending on the file of the Inspector of Police, Kodungaiyur Police Station, Chennai District.

For Petitioners

: Mr.P.Muthamizhselvakumar

For R1

: Mr.A.Gopinath,
Government Advocate (Crl.Side)



ORDER

WEB COPY The Criminal Original Petition has been filed to quash the FIR in Crime No.369 of 2023, 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 joint memo of compromise has been filed before this Court which have been signed by the petitioners and the second respondent. The petitioners and the second respondent were also present in person before this Court. In the joint memo of compromise it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Crime No.369 of 2023. 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 in the case of ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath*** reported in (2017) 9 SCC 641, and after exercising due caution as advised by the Hon'ble Supreme Court in the case of ***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.369 of 2023, on the file of the first respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.369 of 2023, on the file of the first respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. Each petitioner shall pay a sum of Rs.500/- (Rupees Five Hundred 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.



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6.Post this case under the caption 'For Reporting Compliance' on
29.01.2024.

09.01.2024

skr

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

Note: Issue order copy by 12.01.2024

To

1. The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai District.
2. The Public Prosecutor,
Madras High Court,
Chennai.

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