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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.22677 of 2023

Indhirajith

...Petitioner/Sole Accused

.Vs.

1.State rep.by
The Inspector of Police
Muthupettai Police Station
Tiruvarur District.

..1st Respondent/Complainant

2.Ganthimathi

..2nd Respondent/De facto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.337 of 2017, of the file of the 1st respondent police and quash the same under the grounds of compromise.

For Petitioner : Mr.C.Prabakaran

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

ORDER

This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.337 of 2017, pending on the file of first respondent police.



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. Memorandum of Compromise dated 27.09.2023, signed by both petitioner and second respondent/*de facto* complainant and their respective counsel has been filed before this Court. The petitioner and second respondent were also present in person before this Court. In the Memorandum of Compromise, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.337 of 2017, 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 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 FIR in Crime No.20 of 2022, pending on the file of first respondent.



5.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.337 of 2017, pending on the file of first respondent is quashed in entirety and the terms of affidavit of compromise shall form part and parcel of this order. Th petitioner shall pay a sum of Rs.1500/- (Rupees one thousand 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.**

29.01.2024

1/2Speaking Order/Non-Speaking Order

Index: Yes/No

Internet: Yes/No

kp

Note: Issue order copy on **01.02.2024**

To

1.The Inspector of Police
Muthupettai Police Station
Tiruvarur District.

2.The Public Prosecutor,
High Court of Madras,
Madras.



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N.ANAND VENKATESH.J.,

kp

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