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CrI.O.P No.23239 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.23239 of 2023

Saikrishna

... Petitioner/Accused No.2

.VS.

1.State through
The Inspector of Police
Thorapakkam Police Station
Chennai 600 097.

..1st Respondent /Complainant

(Crime No.1568/2018)

2.Vijay

..2nd Respondent/De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to FIR in Cr.No.1568 of 2018 dated 29.9.2018, on the file of the 1st respondent and quash the same.

For Petitioner : Mr.S.Mohamed Ansar
For Respondents : Mr.A.Gopinath
Government Advocate (CrI.Side)
for R1

ORDER

The Criminal Original Petition has been filed seeking to quash the FIR in Crime No.1568 of 2018, pending on the file of the 1st respondent.



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2. The case is still in the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3.The Affidavit dated 26.9.2023 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.R.Muthiah, J-9, Thorapakkam Police Station, Chennai. In the affidavit, it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Crime No.1568 of 2018. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4.The learned Government Advocate (Crl.Side) appearing on behalf of the 1st respondent on instructions submitted that there are no bad antecedents against the petitioner.

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 Gujrath)** and after exercising due caution as advised by the Hon'ble Supreme Court in **The State**



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of Madhya Pradesh v. Dhruv Gurjar and Another reported in **(2019) 2 MLJ Crl 10,**

this Court in exercise of its jurisdiction under Section 482 Cr.P.C, quash the FIR in Crime No.1568 of 2018, on the file of the 1st respondent

6.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.1568 of 2018, on the file of the 1st respondent is quashed and the terms of the affidavit of the 2nd respondent/de facto complainant shall form part and parcel of this order. The petitioner shall pay a sum of Rs.750/- (Rupees seven fifty 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 three 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 **05.02.2024.**

12.01.2024

Note: **Issue order copy on 23.01.2024**

Internet : Yes/No

KP

To

- 1.The Inspector of Police
Thorapakkam Police Station
Chennai 600 097.
- 2.The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH., J
KP

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