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Crl.O.P.No. 28188 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2024

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THE HONOURABLE MR JUSTICE N.ANAND VENKATESH

Crl.O.P.No.28188 of 2023

and

Crl.M.P.No.19564 of 2023

1. A.Senthoorpandi
2. B.Murugan

... Petitioners

Vs.

1. State rep by
Inspector of Police,
P6, Kodungaiyur Police Station,
Chennai - 600 118
(Cr.No.573 of 2023)

2. K.Santhanam

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C to call for the records and quash the FIR in Crime No.573 of 2023 dated 10.10.2023 and the same pending investigation before the respondent police.



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

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.573 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 dated 09.01.2024 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.L.Suresh Kumar, Sub Inspector of Police, P-6, Kodungaiyur Police Station. In the joint compromise memo it has been



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stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Crime No.573 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 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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.573 of 2023, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.573 of 2023, on the file of the 1st respondent



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police, is quashed and the terms of affidavit shall form part and parcel of

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N.ANAND VENKATESH, J.

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this order. Each of the petitioners shall pay a sum of Rs.750/- (Rupees Seven Hundred and Fifty 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. Consequently, connected miscellaneous petition is also closed.

Index : Yes/No

19.01.2024

Internet : Yes/No

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To

1. The Inspector of Police,
P6, Kodungaiyur Police Station,
Chennai - 600 118.

2.The Public Prosecutor,



High Court, Madras.

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