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CrI.O.P.No.1562 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2024

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.1562 of 2024

1.Shahinsha
2.Lathif
3.Syed Khader
4.Rop Basha Tajudheen
5.Abdul Latheef

... Petitioners

Vs.

1.State by The Inspector of Police,
D3 Ice House Police Station,
Chennai 600 005.

2.Arumugam

...Respondents

Prayer: Criminal Original Petition under Section 482 of the Criminal Procedure Code to call for the records and quash the proceedings against the petitioners in Cr.No.92/2023 on the file of the 1st respondent and quash the same against the petitioners.

For Petitioners : Mr.J.Nissar Ahmed

For RR1 : Mr.A.Gopinath
Government Advocate (CrI.Side)



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Crl.O.P.No.1562 of 2024

ORDER

This Criminal Original Petition has been filed seeking to quash the F.I.R in Crime No.92 of 2023 on the file of the respondent police.

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 compromise affidavit dated 31.10.2023 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.Ayyappan, Sub Inspector of Police, D3 Ice House Police Station, Mylapore District, Chennai. In the affidavit it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Crime No.92 of 2023. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



Crl.O.P.No.1562 of 2024

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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.92 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.92 of 2023, on the file of the 1st 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**



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N.ANAND VENKATESH,J

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.

31.01.2024

sk

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No

To

- 1.The Inspector of Police,
D3 Ice House Police Station,
Chennai 600 005.
- 2.The Public Prosecutor,
High Court, Chennai.

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