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CrI.O.P.No.956 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.956 of 2024

Marimuthu

... Petitioner

Vs.

State Rep. By:-

1.The Inspector of Police
B-4, Sevvapet Police Station,
Thiruvallur District.
(Cr.No.401/2023)

2.Hari Prasath

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records in Crime No.401 of 2023 on the file of the Inspector of Police, B-4, Sevvapet Police Station, Thiruvallur District.

For Petitioner : M/s.S.Senthil Kumar
For Respondents : Mr.A.Gopinath for R1
Government Advocate (CrI. Side)

O R D E R

The criminal original petition has been filed seeking to quash the



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F.I.R. in Crime No.401 of 2023, pending on the file of the first 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 07.11.2023 has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsel. The affidavit of the second respondent dated 07.11.2023 has also been filed before this Court. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.S.Ramesh Kumar, Special Sub Inspector of Police, B-4, Sevvapet Police Station. In the joint compromise memo it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Crime No.401 of 2023. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



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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 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.401 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.401 of 2023, on the file of the first respondent police, is quashed in entirety and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.3750/- (Rupees Three Thousand Seven Hundred and Fifty only) as costs, to the credit of the **President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai**



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(Indian Bank, High Court Branch, A/c No.484026006, IFSC

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N.ANAND VENKATESH,J.
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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.

24.01.2024

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

- 1.The Inspector of Police
B-4, Sevvapet Police Station,
Thiruvallur District.
(Cr.No.401/2023)
- 2.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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24.01.2024

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