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Crl.O.P.No.2438 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.2438 of 2024

1.Magesh
2.Viji @ Appu @ Vijayakumar
3.Vilva @ Vilvaraj
4.Bharath Kumar

... Petitioners

Vs.

1.State rep by
The Inspector of Police
Sevvapet Police Station,
Avadi.

2.K.Suresh

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to quash the FIR pending before the Sevvapet Police Station in Crime No.1059 of 2020 on the file of the first respondent police herein.

For Petitioners : Mr.P.Prince Premkumar
For Respondents : Mr.A.Gopinath for R1
Government Advocate (Crl. Side)

O R D E R

The criminal original petition has been filed seeking to quash the F.I.R. in Crime No.1059 of 2020, pending on the file of the first respondent.



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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 08.11.2023 has been filed before this Court which has been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and they are made part of the record. In the Joint Memo of Compromise it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Crime No.1059 of 2020. 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**



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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.1059 of 2020, on the file of the first respondent Police.

5.This criminal original petition stands allowed and as a sequel, the proceedings in Crime No.1059 of 2020, on the file of the first respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.1,000/- (each Rupees One Thousand 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.

07.02.2024

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Index: Yes/ No
Speaking Order: Yes/ No

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NCC: Yes/ No

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N.ANAND VENKATESH,J.
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To

- 1.The Inspector of Police
Sevvapet Police Station,
Avadi.
- 2.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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