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Crl.O.P.No.26975 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.26975 of 2023

And

Crl.M.P.No.18774 of 2023

- 1.Sylvanus King Peter
- 2.Anitha Bai Sylvanus King Peter
- 3.Sally Melissa

... Petitioners

Vs.

- 1.The Inspector of Police
EDF – II, Team – II,
Central Crime Branch – 1,
Chennai – 600 007.

- 2.Balasubramaniam Sriram

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records in FIR No.201 of 2023 on the file of the first respondent and quash the same by invoking the inherent jurisdiction under Section 482 of Cr.P.C.

For Petitioners : Mr.V.Prakash
Senior Counsel
for M/s.Jayasudha
For Respondents : Mr.A.Gopinath for R1
Government Advocate (Crl. Side)
Mr.V.Karthic for R2
Senior Counsel



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for M/s.N.Damodaran

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ORDER

The criminal original petition has been filed seeking to quash the F.I.R. in Crime No.201 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 affidavit of the second respondent dated 06.02.2024 has been filed before this Court. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.K.Rajesh Kumar, Inspector of Police, CCB, Chennai Team-3 EDF. 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.201 of 2023. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4.The learned Senior Counsel appearing on behalf of the second



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respondent, on instructions from the second respondent who was present before this Court submitted that all the relevant documents will be handed over to the petitioners today along with a letter.

5.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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.201 of 2023, on the file of the first respondent Police.

6.This criminal original petition stands allowed and as a sequel, the proceedings in Crime No.201 of 2023, 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.5,000/- (each Rupees Five Thousand Only) as costs, to the credit



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of the **President, Tamil Nadu Advocates Clerk Association,**

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N.ANAND VENKATESH,J.
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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, the connected miscellaneous petition is closed.

07.02.2024

pri

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

To

- 1.The Inspector of Police
EDF – II, Team – II,
Central Crime Branch – 1,
Chennai – 600 007.
- 2.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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