



Crl.O.P No.27116 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.27116 of 2023

1.S.Thiyagarajan ... Petitioner/Accused No.1

2.G.Saravanan ..2nd Petitioner/2nd Accused

.VS.

1.State rep.by its
The Sub Inspector of Police
M-1, Madhavaram Police Station
Chennai 600 110. ..1st Respondent /Complainant

2.R.Rajiv Kumar, M/27 Yrs ..2nd Respondent/De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the FIR in Crime No.312 of 2022, pending on the file of M-1 Madhavaram Police Station, Chennai.

For Petitioner : Mr.K.Saranraj
For Respondents : Mr.A.Gopinath
Government Advocate (Crl.Side)
for R1

ORDER

The Criminal Original Petition has been filed seeking to call for the records and quash the FIR in Crime No.312 of 2022, pending on the file of the 1st respondent.



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2. The case is still in the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Compromise Memo dated 20.11.2023, signed by both the petitioners and the respondents has been filed before this Court. In order to identify the respective parties they have also produce the copy of the Aadhaar Card is made part of the record. The petitioners and the 2nd respondent/de facto complainant were also present in person before this Court. In the joint compromise memo, it has been stated that the petitioner and the respondents have entered into a compromise and amicably settled their issues in Crime No.312 of 2022, pending on the file of the 1st respondent.

4.The learned Government Advocate (Crl.Side) appearing on behalf of the 1st respondent submitted that the investigation was completed and final report was filed before the learned District Munsif cum Judicial Magistrate, Madhavaram and the same was taken on file in C.C.No.38 of 2022.

5. Under such circumstances, no useful purpose will be served in keeping the case 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



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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 CrI 10***, this Court in exercise of its jurisdiction under Section 482 Cr.P.C, quash the proceedings in C.C.No.38 of 2022, on the file of the learned District Munsif cum Judicial Magistrate, Madhavaram

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.38 of 2022, on the file of the learned District Munsif cum Judicial Magistrate, Madhavaram is quashed and the terms of Joint compromise memo shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.1500/- (Rupees one thousand five hundred only) as costs, to the credit of the **President, Tamil Nadu Advocate's Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157)**, within a period of two weeks from the date of receipt of copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

7.Post this case for reporting compliance on **23.01.2024.**

02.01.2024

Note: **Issue order copy on 05.01.2024**

Index : Yes/No

Speaking Order/Non-Speaking Order

Neutral citation : Yes/No

KP



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N. ANAND VENKATESH., J

KP

To

- 1.The Sub Inspector of Police
M-1, Madhavaram Police Station
Chennai 600 110.
- 2.Judicial Magistrate cum Judicial Magistrate,
Madhavaram.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.

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