



WEB COPY

Crl.O.P.No.45 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2024

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THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.45 of 2024
and Crl.M.P.No.87 of 2024

1.K.Manoharan
2.Pazhani
3.Malathi @ Mala
4.Venkatesan
5.Uma Maheswari @ Uma
6.Anand @ Anandraj

... Petitioners

Vs.

1.State represented by
The Inspector of Police,
W-18, AWPS MKB Nagar Police Station,
Vyasarpadi, Chennai 600 039.
Cr.No.24 of 2022.

2.M.Metha

...Respondents

Prayer: Criminal Original Petition is filed under Section 439 of the Code of Criminal Procedure to recall for records in First Information Report pending on the file of the 1st respondent Police in Cr.No.24 of 2022 dated 19.11.2022 and quash the same by allowing this Criminal Original Petition.

For Petitioners
For RR1

: Mr.M.Arun
: Mr.A.Gopinath,
Government Advocate (Crl.Side)



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CrI.O.P.No.45 of 2



ORDER

The Criminal Original Petition has been filed to call for the records relating to the case in Cr.No.24 of 2022, on the file of the 1st respondent and quash the same.

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

3.The Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the 2nd respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mrs.C.Kokila, W-18, All Women Police Station, M.K.B.Nagar, Chennai 39. In the joint compromise memo it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Cr.No.24/2022 pending on the file of the 1st respondent.

4.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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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 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 Cr.No.24/2022, on the file of the 1st respondent Police.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Cr.No.24 of 2022, pending on the file of the 1st respondent, is quashed and the terms of affidavit shall form part and parcel of this order.

12.01.2024

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No



WEB COPY

Crl.O.P.No.45 of 2



N. ANAND VENKATESH, J.

sk

To

- 1.The Inspector of Police,
W-18, AWPS MKB Nagar Police Station,
Vyasarpadi, Chennai 600 039.
- 2.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.45 of 2024

12.01.2024