



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.5525 of 2024
and CrI.MP.No.4037 of 2024

1.J.Aravindhnan
2.Agathiya Rajendiran
3.Abinaya Ayyanar
4.Manimegalai

.. Petitioners/Accused 2-5

VS.

1.State rep.by
The Inspector of Police
Kammapuram Police Station
Cuddalore, Tamil Nadu.

..1st Respondent/Complainant

(Crime No.397 of 2022)

2.M.Selvapriya

..2nd Respondent/De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Cr.No.397 of 2022, on the file of the first respondent/complainant, the Inspector of Police, Kammapuram Police Station, Cuddalore and quash the same.

For Petitioners : Mr.R.Alvin Manoj Raj

For Respondent : Mr.A.Gopinath
Government Advocate
for R1

ORDER

The Criminal Original Petition has been filed seeking to quash the FIR in



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 Memo of Compromise dated 06.1.2024 signed by both the petitioner and the 2nd respondent has been filed before this Court. As per the compromise entered between the parties, the 2nd respondent has agreed to receive a sum of Rs.10,00,000/- as the settlement amount from the petitioners. Accordingly, a sum of Rs.7,00,000/- was paid to the 2nd respondent today through a demand draft dated 7.12.2023 bearing No.012965 drawn at HDFC Bank, T.Nagar Branch, Chennai. Insofar as the balance amount of Rs.3,00,000/-, the 3rd and 4th petitioners had already deposited this amount before the Judicial Magistrate No.II, Virudachalam, Cuddalore, and this amount is available. Hence, it will be left open to the 2nd respondent to file a memo/petition before the learned Judicial Magistrate No.II, Virudachalam, seeking for withdrawing the amount of Rs.3,00,000/- and this memo/petition shall be entertained and the learned Judicial Magistrate No.II, Virudachalam will permit the 2nd respondent to withdraw the amount.

4. 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 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, quashed the FIR in Crime No.397 of 2022, pending on the file of the 1st respondent.

5. This Criminal Original Petition stands allowed and as a sequel, investigation in Crime No.397 of 2022, pending on the file of the first respondent, is hereby quashed **in entirety** and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.1000/- (Rupees one thousand 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. Consequently, connected miscellaneous petitions are closed.

6.Post this case "for reporting compliance" on **25.3.2024**.

04.03.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
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Note: Issue order copy on **8.3.2024**



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N. ANAND VENKATESH,, J.

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To

- 1.The Inspector of Police
Kammapuram Police Station
Cuddalore, Tamil Nadu.
2. The Public Prosecutor,
High Court of Madras,
Madras.

Crl.O.P No.5525 of 2024

04.03.2024