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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.19231 of 2023

1.Sarath Kumar (M/29 Y)
S/o.Gajendran

2.Senthil Kumar @ Senthil (M/33 Y)
S/o.Gajendran

.. Petitioners/Accused 1 & 2

.vs.

1.State Rep.by
Inspector of Police
P-5, M.K.B.Nagar Police Station
Chennai.
(Crime No.186 of 2023)

.. 1st Respondent/Complainant

2.Sathish Kumar (M/29 Y)
S/o.Sathasivam

..2nd Respondent/De facto Complainant

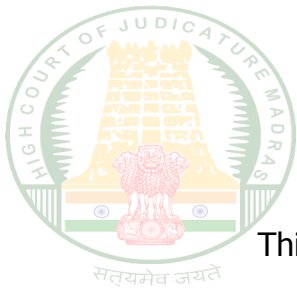
PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.186 of 2023, pending investigation on the file of the Inspector of Police, P5 MKB Nagar Police Station, Chennai and quash the same.

For Petitioners : Mr.Ali Hassan Khan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor for R1

Mr.S.Mohamed Aadhif
for R2

ORDER



This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.186 of 2023, pending on the file of first respondent.

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. Memorandum of Compromise dated 16.08.2023 signed by both petitioners and second respondent/*de facto* complainant and their respective counsel has been filed before this Court. An affidavit has also been filed by the second respondent/*de-facto* complainant before this Court. The petitioners and second respondent were also present in person before this Court and they were identified by Mr.G.Deepan, (Mobile No.9551933861) S.I. of Police, P5, MKB Nagar Police Station. In the Memorandum of Compromise, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.186 of 2023, pending on the file of first respondent. 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 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



and after exercising due caution as advised by the Hon'ble Supreme Court in **The**

State of Madhya Pradesh v

Another reported in **(2019) 2 MLJ CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the FIR in Crime No.186 of 2023, pending on the file of first respondent.

5.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.186 of 2023, pending on the file of first respondent is quashed and the terms of affidavit shall form part and parcel of this order. The petitioners (each) shall pay a sum of Rs.750/- (Rupees seven hundred and fifty only) as costs, to the credit of **M/s.Vakil Kumasthakkal Sangam Cuddalore (Indian Overseas Bank, Pudupalayam, Cuddalore-1, A/c No.177801000003906, IFSC COCE : IOBA0001778)** 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.

6.Post this case for reporting compliance on **11.9.2023**.

23.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
kp
Note: Issue order copy on **28.8.2023**



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N. ANAND VENKATESH,, J.
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To

1. Inspector of Police
P-5, M.K.B.Nagar Police Station
Chennai.

2. The Public Prosecutor,
High Court, Madras.

Cri.O.P No.19231 of 2023
Post this case for reporting compliance on **11.9.2023**

23.08.2023