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M.Gokulnathan vs State Rep by

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Court : Chennai Orders

Decided On : Feb-26-2025

Judge : Honourable Mr Justice Sunder Mohan

Appeal No. : CRL OP/2760/2022

Appellant : M.Gokulnathan

Respondent : State Rep by

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA and

1. M.Gokulnathan

2. M.Muthusamy

3. M.Jothi ... Petitioners/ Accused 1 to 3 Vs.

1. The State by Inspector of Police, Sankari, Salem District. ... Respondent/ Complainant

2. G.Sowmiya ..Respondent/ Defacto Complainant

PRAYER: This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to call for the records pertaining to Crime No.437 of 2021 on the file of the Sankari Police Station, Salem, quash the same. For Petitioners : Mr.A.Saravanan For R1 : Mr.A.Gokulakrishnan Additional Public Prosecutor.

ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.437 of 2021, on the file of the respondent police, for the offences punishable under Sections 294(b), 323 and 506(1) of IPC.

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. A Joint Memo of Compromise has been filed before this

Court, which have been signed by the petitioners and the second 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. 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 First Information Report pending. 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), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No. 360 of 2019.

5. Petitioners are directed to pay a sum of Rs.5000/- each as costs to the Credit of the Tamil Nadu Advocate Clerks Association and produce the receipt.

6. Accordingly, this Criminal Original Petition stands

allowed and as a sequel, the proceedings in Crime No.437 of 2021, on the file of the first respondent police, is quashed and the terms of joint compromise memo shall form part and parcel of this order. Consequently, the connected miscellaneous petition is closed.

7. List the matter on 21.02.2022, for reporting compliance. Encl: The Xerox Copy of Memo of Compromise. Sd/- Assistant Registrar(CS-IV) //True Copy// ham/rgi Sub Assistant Registrar To

1. The Inspector of Police, Sankari, Salem District.

2. The Public Prosecutor,

High Court of Madras. 3.The Secretary Tamil Nadu Advocate Clerk Association, Chennai. +1cc to M/s.A.Saravanan, Advocate, S.R.No.9637 [22/04/2022] and SSN(CO) SB(17/02/2022)

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