

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.08.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.20066 of 2015

1.Ashok Kumar
2.M.Gurunathan

.. Petitioners (Accused)

Vs

1.The State, Rep, by
The Inspector of Police,
Omalur Police Station,
Salem District,
Crime No.363/2010

2.Vasanth

.. Respondents (Complainant
Defacto Complainant)

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., praying to call for the records in Crime No.363 of 2010 on the file of the first respondent and quash the same.

For Petitioners :Mr.P.S.Amalraj

For Respondents :Mr.C.Emalias [for R1]
Additional Public Prosecutor
Mr.I.Paul Noble Devakumar [for R2]

ORDER

This Criminal Original Petition has been filed by the petitioners herein to quash the FIR in Crime No.363 of 2010 on the ground that the matter has been amicably settled with the defacto-complainant.

2. Heard Mr.P.S.Amalraj, the learned counsel for the petitioners; Mr.C.Emalias, the learned Additional Public Prosecutor for the first respondent and Mr.I.Paul Noble Devakumar, the learned counsel for the second respondent.

3.Today, Mr.Vasanth, the defacto-complainant is present and he has filed an affidavit, wherein in paragraph Nos.2,3 & 4, he has stated as follows :

"2. I state that I gave complaint against the petitioners herein before the first respondent and the same registered in Crime No.363 of 2010 under Section 294 (b), 506(ii) and Section 3(1) of PPD Act.

3. I state that the occurrence had taken place in 05.04.2010 and the case is pending for investigation till today.

4. I state that since the compromise was made by the elders of the village and the occurrence had taken place long back, I don't want to proceed the further investigation and I like to compromise with the petitioners herein.

4. It is also seen that on the complaint given by Ashok Kumar (the petitioner herein), the respondent Police have registered a case in Crime No.364 of 2010 against Vasanth [complainant], challenging which, Vasanth has filed CrI.OP.No.20067 of 2015, on the ground that the matter has been amicably settled with Ashok Kumar.

5. In view of the above, this Criminal Original Petition is allowed and the F.I.R. in Crime No.363 of 2010 on the file of the first respondent is hereby quashed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

ds

To:

1.The Inspector of Police,
Omalur Police Station,
Salem District.

2. The Public Prosecutor,
High Court, Madras.

+2 ccs to Mr.P.S. Amalraj, Advocate, sr.42562

+1 cc to Mr.I.Paul Noble Devakumar, Advocate, sr.42335

CrI.OP No.20066 of 2015

jp(co)
kra(27/08)