

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.22431 of 2015

1.A.Arun Kumar
2.M.Anku Manickam
3.A.Kanakammal

.. Petitioners

Vs.

1.State by
Inspector of Police
Alangiyam Police Station,
Dharapuram Taluk,
Tiruppur District.

2.M.Sheak Mouhmaed

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., praying to call for the records and quash the FIR in Crime No.363 of 2015 dated 03.08.2015 on the file of 1st respondent.

For Petitioner :: Mr.S.Ravichandran

For Respondents:: Mr.C.Emalias [R1]
Additional Public Prosecutor
Mr.N.Ponraj [R2]

ORDER

This Criminal Original Petition has been filed praying to quash the FIR in Crime No.363 of 2015 dated 03.08.2015 on the file of first respondent.

2. Heard Mr.S.Ravichandran, the learned counsel for the petitioners; Mr.C.Emalias, the learned Additional Public Prosecutor for the first respondent and Mr.N.Ponraj, the learned counsel for the second respondent.

3. On a complaint lodged by one Sheak Mouhmaed, the defacto-complainant/second respondent, the first respondent Police registered a case in Crime No.363 of 2015 on 03.08.2015, for the offences under Sections 294(b), 352, 323, 324 and 506(ii) IPC., against the petitioners herein.

4. During the pendency of the investigation, it appears that parties have amicably arrived at a settlement. Today, Mr. Sheak Mouhmaed, the defacto-complainant is present before this Court and he has been identified by Mr. N. Ponraj, Advocate (Enrl.No.2695/2010). Mr. Sheak Mouhmaed, the defacto-complainant has filed an affidavit, wherein in paragraph Nos.3 & 4, it has been stated as follows :

"3. I further submit that petitioner's family and my family are living in the same village and having friendship for more than 20 years. Subsequent to the registration of FIR, considering the welfare of both families and social status we have settled and resolved dispute in front of our village elders without any terms and conditions. In these circumstances, since the dispute has been settled amicably and completely and peace has been restored, I am not interested in proceeding the above my complaint.

4. I further submit that while the fact being so, the respondent Police is continuing the investigation which will be an exercise in futility and affect our harmonious relationship. Hence, I am coming forward to give consent to quash the above my complaint in Crime No.363 of 2015 pending on the file of 1st respondent police without any coercion, compulsion and undue influence etc.,

It is therefore prayed that this Hon'ble Court may be pleased to treat this supporting affidavit along with the above Memorandum of Quash petition and to quash the FIR in Crime No.363 of 2015 dated 03.08.2015 on the file of the 1st respondent Police and thus render justice."

5. In view of the above, FIR in Crime No.363 of 2015 on the file of Alangiyam Police Station is hereby quashed. Accordingly, this Criminal Original Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ds

To:

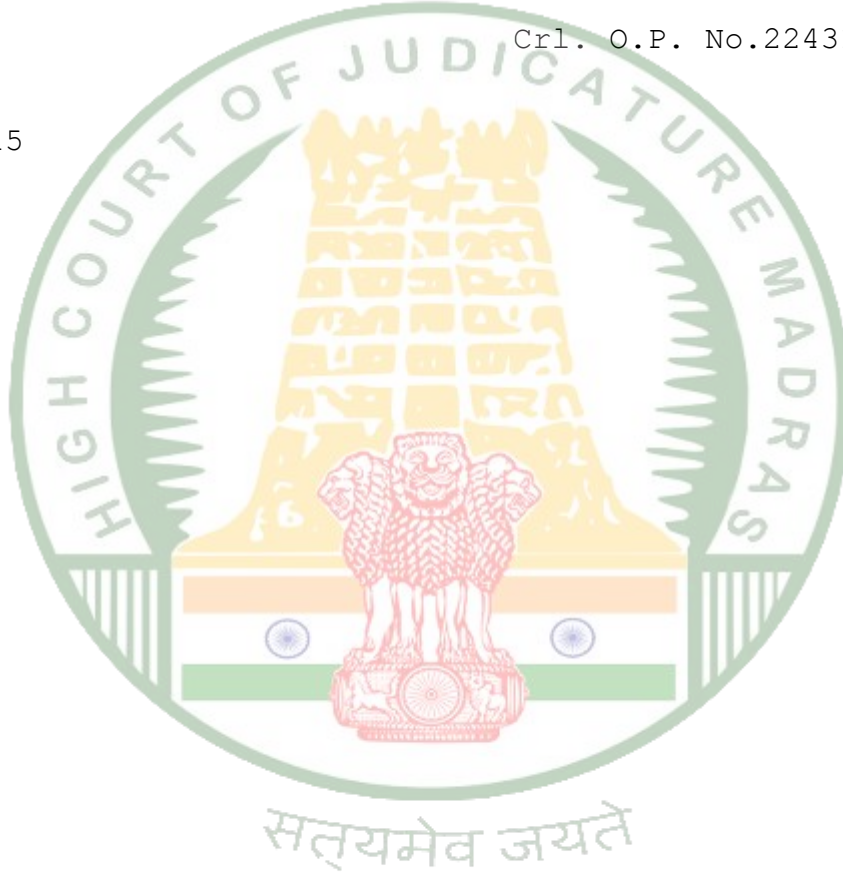
1.The Inspector of Police
Alangiyam Police Station,
Dharapuram Taluk,
Tiruppur District.

2.The Public Prosecutor
High Court, Madras.

1 cc to Mr.S. Ravichandran, Advocate Sr.49419

Cr1. O.P. No.22431 of 2015

KK(CO)
EU 28.09.15



WEB COPY