

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.23873 of 2015

PMN Mohan Krishnaa

.. Petitioner/Accused

Vs

1.The Inspector of Police
Kandhili Police Station
Vellore District.

2.KP Chakravarthy .. Respondents/Complainants.

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C. to call for the FIR No.421 of 2012 for the alleged offence under Section 294(b), 323, 506(i) IPC on 24.12.2012 pending on the file of the 1st respondent and quash the same.

For Petitioner

:

Mr.N.Subramani

For R1

:

Mr.C.Emalias,

Addl.Public Prosecutor

ORDER

This petition has been filed to call for the FIR No.421 of 2012 for the alleged offence under Sections 294(b), 323, 506 (i) IPC on 24.12.2012 pending on the file of the 1st respondent and quash the same.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. On a complaint lodged by K.P.Chakravarthy [second respondent/defacto complainant], the respondent police registered a case in Cr.No.421 of 2012 against the petitioner/accused herein, against which this petition has been filed for quashing the FIR on the ground that, the parties have arrived at a compromise.

4. Learned Additional Public Prosecutor submits that investigation in Cr.No.421 of 2012 has been completed and Final Report has been filed in C.C.No.96 of 2015 for offences under Sections 294(b), 323 and 506(i) IPC before the learned Judicial Magistrate No.II, Tirupathur.

5. Today, the petitioner/accused and the second respondent/defacto complainant are present. They have filed joint compromise memo, wherein they have stated as follows in paragraphs 2 and 3:

"2. This petitioner had also lodged complaint to 1st respondent few hours prior to complaint by 2nd respondent and a CSR with No.480/2012 had been issued on 24.12.2012 in this regard, this Hon'ble Court had been pleased to direct 1st respondent to proceed in accordance to law during disposal of CrI.OP.No.166 of 2013 filed by herein petitioner along with copies of wound certificate and discharge summary. As the issue had been settled mutually and amicably among both parties then itself, herein petitioner had not insisted on implementation of order of this Hon'ble Court towards prosecution of 2nd respondent.

3. Similarly, the 2nd respondent had requested withdrawal of his complaint to 1st respondent but the respondent police had sought a proper order from appropriate Court. Relationship among petitioner and 2nd respondent is becoming spoiled due to existence of this case. Both of them would be put to irreparable loss and injury if this Hon'ble Court does not compound the offences."

In view of the above, the proceedings in C.C.No.96 of 2015 in Cr.No.421 of 2012 on the file of the learned Judicial Magistrate-II, are hereby quashed.
gms

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Judicial Magistrate No.II,
Tirupathur, Vellore District.
2. The Inspector of Police
Kandhili Police Station, Vellore District.
3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.N.Subramani, Advocate SR 58247

bvr(co)
prk15/12

CrI.O.P.No.23873 of 2015