

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.No.25380 of 2015

and

M.P.No.1 of 2015

R.Kaushik Anand .. Petitioner/Accused

Vs

1.State By

The Inspector of Police

J-2 Adyar Traffic Division

Chennai

Crime No.353/AM2 of 2015

..1st Respondent/Complainant

2.R.S.Shanthakumar

..2nd Respondent/Defacto-
Complainant

3.Dominic Andrew James

..3rd Respondents/Victim

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C. to quash the FIR in Cr.No.353/AM2/2015 on the file of the Inspector of Police, J2, Traffic Division, Adyar, Chennai.

For Petitioner	:	Mr.V.P.Raju
For R1	:	Mr.C.Emalias, Addl.Public Prosecutor
For R3	:	Mr.T.Dhamodharan

ORDER

This petition has been filed to quash the FIR in Cr.No.353/AM2/2015 on the file of the Inspector of Police, J2, Traffic Division, Adyar, Chennai.

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

3. A road accident took place on 14.06.2015, in connection with which on the complaint lodged by a passer-by, a case in Cr.No.353/AM2/2015 was registered by the respondent police under Sections 279,308 IPC and Sections 185 and 188 of the Motor Vehicles Act against the petitioner herein, who was on the wheels of the two wheeler which was responsible for the

accident and injury to Dominic Andrew James [R-3/victim]. Now it appears that the petitioner/accused and the third respondent/victim have arrived at a compromise and they have come forward for quashing the criminal prosecution.

4. Learned Additional Public Prosecutor has filed a Status Report, wherein it is stated that investigation has been completed and Final Report has been filed before the learned V Metropolitan Magistrate, Saidapet, Chennai and the same has not yet been taken on file.

5. Today R.Kaushik Anand [petitioner/accused] and Dominic Andrew James [R-3/victim] are present and they were identified by Mr.R.Pannneerselvam, Special Sub Inspector of Police, J-2 Adyar Traffic Division, Chennai. Dominic Andrew James has filed an affidavit, wherein it is stated as follows in paragraphs 1, 2 and 3:

"1. I am the victim in the above case and as such well acquainted with the facts of the case.

2. I state that on 14.06.2015 at about 6.45 p.m. there was an accident involving the petitioner's bike and myself in near the park adjacent to the Koturpuram Bridge. One of the passers by Mr.R.S.Sampath Kumar helped us and sent the petitioner, the pillion rider Mr.Vignesh and myself to the General Hospital by Ambulance.

3. I took further treatment at Isabel Hospital. The Hospital expenses were borne by the petitioner herein. Having regard to the fact that the occurrence was purely accidental, I have entered into a compromise with the petitioner herein by which the petitioner has paid all my expenses incurred due to hospitalization and treatment. I have in turn agreed not to pursue the criminal proceedings against the petitioner herein. I humbly submit that the continuation of the investigation would therefore be a futile exercise."

In view of the above, the entire proceedings, including the Final Report in Cr.No.353/AM2 of 2015 is hereby quashed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police
J-2 Adyar Traffic Division
Chennai.

2.The Public Prosecutor,
High Court, Madras.

+ 2 ccs to Mr.V.P. Raju, Advocate Sr.58548

Crl.O.P.No.25380 of 2015

BVR(CO)
EU 23.11.15



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