

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2015

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

Cr1.O.P.No.27173 of 2015

H.B.Saravana Kumar

... Petitioner

Vs.

1.The State rep. by
Inspector of Police,
Karimangalam,
Dharmapuri District.
(FIR 247/2013).

2.V.Palani,
S/o.Vaiyapuri,
Hanumanthapuram,
(Post & VIII) Palakodu,
Dharmapuri.

... Respondents

Prayer: Petition filed under Section 482 of Cr.P.C., praying to call for the records in the proceedings in F.I.R.No.247 of 2013, dated 20.07.2013 on the file of the 1st respondent-police and to quash the same as illegal and without jurisdiction.

For Petitioner : Mr.V.Raghavachari

For Respondents : Mr.C.Emalias, APP (For R1)
Mr.J.Bharathi Raja (For R2)

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ORDER

This petition has been filed by the petitioner praying to quash the complaint in F.I.R.No.247 of 2013, dated 20.07.2013 pending on the file of the 1st respondent-Police.

2.The complaint has been lodged by the 2nd respondent/defacto-complainant as against the petitioner herein and three others stating that due to previous enmity with regard to land dispute, on 20.07.2013 the petitioner along with other

accused persons abused the 2nd respondent in filthy language and attacked him. On the basis of the complaint lodged by the 2nd respondent, a case in Crime No.247 of 2013 under Section 294(b), 447, 324, 506(ii) IPC r/w Section 3 of TNPPDL Act. Now, the petitioner has come forward with the present petition before this Court seeking to quash the complaint.

3. When the matter is taken up for consideration, the learned counsel for the petitioner as well as the learned counsel for the 2nd respondent/defacto-complainant represented that the matter has been amicably settled between the parties. The 2nd respondent/defacto-complainant has also filed an affidavit stating that the matter relates to a dispute between the petitioner and the defacto-complainant; that now, they have settled their differences; that the defacto-complainant has no objection in quashing the complaint in FIR.No.247 of 2013 pending on the file of the 1st respondent-Police.

4. Heard the learned Additional Public Prosecutor also and perused the materials available on record.

5. Considering the facts and circumstances of the case and in view of the compromise arrived at between the parties, I am of the opinion that the complaint in F.I.R.No.247 of 2013 pending on the file of the 1st respondent-Police is liable to be quashed and accordingly, the same is quashed.

In fine, the criminal original petition is allowed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To,

1. The Inspector of Police,
Karimangalam,
Dharmapuri District.
2. The Public Prosecutor,
Madras High Court, Madras.

+1 cc to V.Raghavachari Advocate sr.67461

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