

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.13416 of 2016

and

CRL.MP.No.6892 of 2016

1.Venkadachalam @ Duraiyan

2.Kavin Kumar

... Petitioners

Vs

1.State rep by

The Inspector of Police,
Ammamet Police Station,
Erode District.

2.Thangavel

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., to quash the FIR in Crime No.254 of 2016 pending on the file of the 1st respondent police.

For Petitioners : Mr.Guruprasad
for Mr.V.Vijayakumar

For 1st Respondent : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

This petition has been filed to quash the FIR in Crime No.254 of 2016 pending on the file of the 1st respondent police.

2. Heard the learned counsel appearing for the petitioners; learned Additional Public Prosecutor appearing for the 1st respondent and perused the materials placed on record.

3. On reading of the FIR, it is seen that the de facto complainant had paid some advance to purchase the property of the accused and that the accused is not coming forward to execute the documents. While so, it is alleged by the de facto complainant that on 11.06.2016, the accused party had assaulted the de facto complainant's party, in which, some persons were injured.

4. Mr.Guruprasad, learned counsel submitted that the issue is civil in nature and the FIR deserves to be quashed.

5. It is seen that the injured victims were admitted in the Government Hospital, Bhavani, from where, intimation was received by the police and statements were recorded in the Police Station. Based on which, the case in Crime No.254 of 2016 has been registered on 11.06.2016 for offences under Section 294[b], 324 and 506[i] IPC. Even as per the FIR, the injured were in the hospital.

6. Under such circumstances, this is not a fit case to quash the FIR in the light of the law laid down by the Hon'ble Supreme Court in State of Haryana Vs Bhajan Lal 1992 - Supp [1] SCC 335 and this petition stands dismissed.

7. At this juncture, Mr.Guruprasad, learned counsel submitted that the parties may be referred to the mediation centre for arriving an amicable settlement.

8. Accepting his submission, the petitioners are directed to approach the Legal Services Authority, Erode District, making a written request to bring out an amicable settlement between the parties and on such request being made, Legal Services Authority may either refer the matter to the local mediation centre or hold settlement talks, as the case may be and try to bring settlement between the parties. The entire process shall be completed within one month from the date of petitioners approaching the Legal Services Authority. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Ammamet Police Station,
Erode District.

2.The District Judge,
Erode District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.V.Vijayakumar, Advocate, S.R.No.35995

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SKV(CO)

CA(13/07/2016)

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