

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :26.09.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Cr1.OP.No.21826 of 2016

1.K.P.P.Samy  
2.Parasu Prabakaran  
3.M.Nageswaran  
4.Raju

... Petitioners/Accused 1-4

Vs

1.State represented by  
The Inspector of Police,  
H-8, Thiruvotriyur Police Station,  
Chennai - 600 019.  
(Crime No.1453/2016) ...1st Respondent/Complainant

2.K.P.Chokkalingam ...2nd Respondent/Defacoto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records relating to the FIR in Crime No.1453 of 2016, on the file of the Inspector of Police, H-8 Thiruvottiyur Police Station, Chennai and to quash the same.

For Petitioners : Mr.John Sathyan  
for Mr.R.Parthiban

For Respondents : Mr.C.Emalias [ for R1]  
Additional Public Prosecutor  
Mr.C.Prabakaran [for R2]

O R D E R

This Criminal Original Petition has been filed to quash the FIR in Crime No.1453 of 2016 on the file of the respondent-police.

2. Heard Mr.John Sathyan, learned counsel appearing for the petitioner; Mr.C.Emalias, learned Additional Public Prosecutor for the first respondent and Mr.C.Prabakaran, learned counsel appearing for the second respondent.

3. On the complaint lodged by Chokkalingam, the second respondent herein, the first respondent Police registered a case in Crime No.1453 of 2016 for the offences under Section 323, 324, 506(i) IPC against the petitioners and four others, challenging which, the petitioners are before this Court on the ground that the parties have arrived at a compromise.

4. Today K.P.Chokkalingam is present before this Court and he has filed an affidavit, wherein in paragraph Nos.2 & 3, he has stated as follows :

"2. I submit that the marriage was celebrated for the 2<sup>nd</sup> petitioner on on 08.09.2016 at Thiruppur. Subsequent to the marriage there was some functions held between the family members. There was a problem in conducting ceremonies to the bride and bridegroom relating to the marriage. Therefore on 17.09.2016 all my relatives including the petitioners and ourselves have gathered at the house of the 1<sup>st</sup> petitioner, wherein there was a misunderstanding by one person and hence a wordy quarrel arose among ourselves which has lead to the offence by assaulting each other. Subsequently, I have lodged a complaint with the respondent police for the injury sustained by me and the same was registered in Crime No.1453 of 2016 on 18.09.2016 against the petitioners for the offences under Section 323, 324 and 506(i) IPC.

3. I further submit that for the injury sustained by the petitioners they have also lodged a compliant with the respondent police and the same was registered in Crime No.1452 of 2016 for the offences under Section 324 and 506(i) of IPC. I submit that as the dispute among the family members, a conciliation took place and both of us have amicably settled the issues and united. Therefore, we have decided to not to proceed the cases further which are unnecessary for the investigation and the trial. I have no objection to quash the FIR impugned herein and I am swearing this affidavit on my own accord, without any compulsion and free and volition."

5. Recording the same, this petition is allowed and the FIR in Crime No.1453 of 2016 is hereby quashed.

6. The petitioners are directed to pay the costs of Rs.10,000/- to the Director, Tamil Nadu State Judicial Academy, Chennai, within two weeks from the date of receipt of a copy of this order.

Sd/-  
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

- 1.The Inspector of Police,  
H-8, Thiruvotriyur Police Station,  
Chennai - 600 019.
- 2.The Director,  
Tamil Nadu State Judicial Academy,  
Chennai.
- 3.The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.M.Sivakumar, Advocate Sr.54824

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srg 29/09/2016

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