

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2016

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.Nos.25248 & 25249 of 2016

1. Sakthivel
2. Chinnaiyan ...Petitioners
(in Crl.OP.No.25248 of 2016)

1. Selvapandi
2. Prabhu
3. Sathish ... Petitioners
(in Crl.OP.No.25249 of 2016)

Vs.

1. State represented by
The Inspector of Police
M-5, Ennore Police Station,
Chennai-600 057.
2. Selvapandi ... Respondents
(in Crl.OP.No.25248 of 2016)

1. State represented by
The Inspector of Police
M-5, Ennore Police Station,
Chennai-600 057.
2. Sakthivel ... Respondents
(in Crl.OP.No.25249 of 2016)

PRAYER: Criminal Original Petition No.25248 of 2016 filed under Section 482 Cr.P.C to call for the records relating to the FIR in Crime No.643 of 2016, on the file of Inspector of Police, M-5, Ennore Police Station, Chennai and to quash the same.

PRAYER: Criminal Original Petition No.25249 of 2016 is filed under Section 482 Cr.P.C to call for the records relating to the FIR in Crime No.642 of 2016, on the file of Inspector of Police, M-5, Ennore Police Station, Chennai and to quash the same.

For Petitioners : Mr.M.Sivakumar
(in Crl.OP.No.25248 of 2016)
: Mr.C.Prabakaran
(in Crl.OP.No.25249 of 2016)

For R1 : C.Emalias
Additional Public Prosecutor
(both CrI.OP.Nos.25248 & 25249 of 2016)

C O M M O N O R D E R

These criminal original petitions have been filed to call for the records relating to the FIR in Crime Nos. 643 of 2016 & 642 of 2016, on the file of THE Inspector of Police, M-5, Ennore Police Station, Chennai and to quash the same.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the 1st respondent-State.

3. On the complaint lodged by one Sakthivel, the first respondent police registered a case in Crime No.642 of 2016 on 21.05.2016 under Sections 294(b), 324 and 506(ii) IPC against Selvapandi, Prabhu and Sathish. Similarly, on the complaint lodged by Selvapandi, the first respondent police registered a case in Crime No.643 of 2016 on 21.05.2016 under Sections 294 (b), 324 and 506(ii) IPC against Sakthivel and Chinnaiyan. For quashing both the FIRs, the petitioners / de-facto complainant in both the cases are before this Court on the ground that they have arrived at an amicable settlement.

4. Today, Sakthivel and Selvapandi are present before this Court and they are identified by Mr.Raja, Sub Inspector of Police, M-5, Ennore Police Station, Chennai.

5. The learned Additional Public Prosecutor submitted that there are several cases against Selvapandi. Since offences alleged in the case are only under Section 294(b), 324 and 506 (ii) IPC and further both Selvapandi and Sakthivel have arrived at a compromise, this Court is of the view that it will be in the interest of justice if the FIR is quashed. Selvapandi and Sakthivel have filed individual affidavits affirming that the quarrel arose between them while playing in the beach.

In view of the above, this petition is allowed and the proceedings in Crime Nos.642 & 643 of 2016 on the file of the first respondent police are quashed in its entirety.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

1. The Inspector of Police
M-5, Ennore Police Station,
Chennai-600 057.

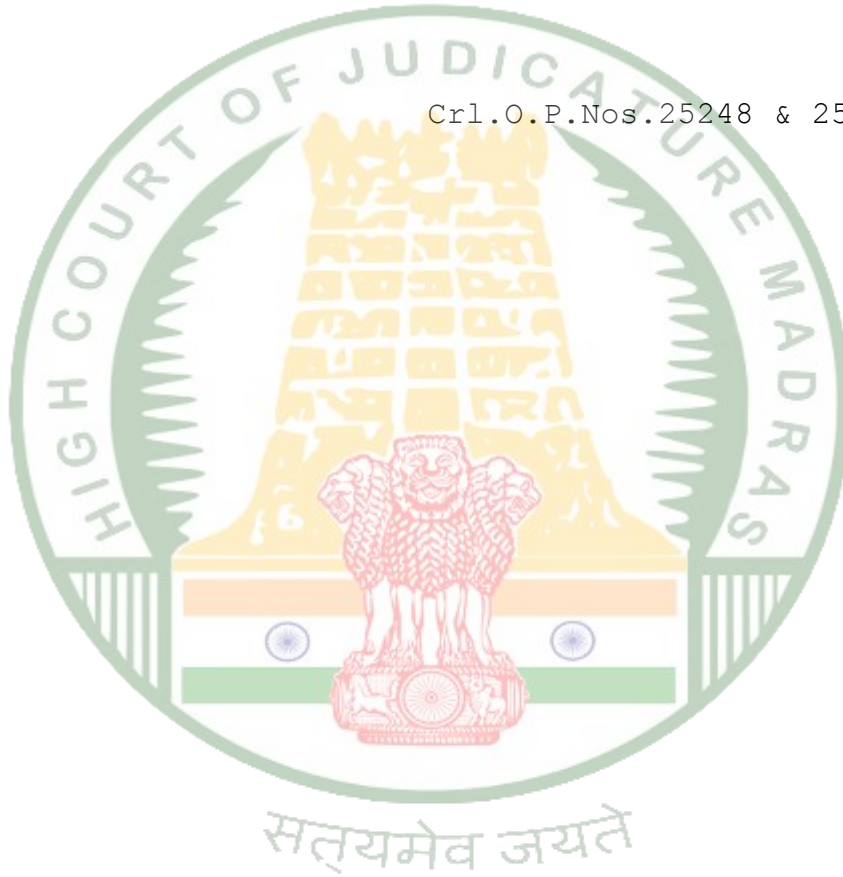
2. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.C.Prabakaran,advocate,sr.67477

+1 cc to M/s.M.Sivakumar,advocate,sr.67478.

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Crl.O.P.Nos.25248 & 25249 of 2016



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