

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2018

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. No.10144 of 2018

R.Ajith

...Petitioner/A4

vs.

- 1.State rep. by
The Inspector of Police
Uthukottai
Thiruvallur District. ...1st Respondent/Complainant
- 2.Sathish Kumar ...2nd Respondent/Defacto Complainant

Criminal Original Petition filed under Section 482, Cr.P.C. to quash the F.I.R. in Crime No.522 of 2017, pending before the Uthukottai Police Station, Thiruvallur District on the basis of compromise between the parties.

For petitioner : Mr.Krishnasamy Chinnasamy
For Respondents: Mr.C.Raghavan
Government Advocate (Crl. Side) for R1

O R D E R

This Criminal Original Petition has been filed to quash the F.I.R. in Crime No.522 of 2017, pending before the Uthukottai Police Station, Thiruvallur District on the basis of compromise between the parties.

2. On the complaint lodged by one Sathish Kumar, the first respondent police have registered a case in Crime No.522 of 2017 on 16.10.2017 for the offences under Sections 147, 148, 323, 341, 324 and 307 IPC against Saravanan and six others, including the petitioner herein, for quashing which, this quash petition has been filed.

3. The FIR in this case has been registered pursuant to the statement given by the second respondent, while he was taking treatment in the Government Hospital, Tiruvallur. On a reading of the F.I.R, it is alleged that on 15.10.2017, around 7.00 p.m., when Satish Kumar and his friend Surya were eating Panipuri, they heard noise from the adjacent street; that when they went there, they saw the accused named in the FIR attacking their friend Nagaraj; that when Sathish Kumar and Surya

intervened, Ajith (the petitioner herein) held Sathish Kumar by his hand and Manoj (A3) pulled out her button knife and attacked Sathish Kumar; that the accused also attacked Surya with a broken beer bottle. Since there are sufficient materials for the police to proceed with the investigation, this is not a fit case to quash the prosecution in the light of the law laid down by the Supreme Court in State of Haryana Vs Bhajan Lal [(1992) Supp [1] SCC 335].

4. Hence, this petition is dismissed as being devoid of merits.

-s/d-

Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

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To

- 1.The Inspector of Police
Uthukottai, Thiruvallur District.
- 2.The Public Prosecutor
High Court, Madras

Crl.O.P. No.10144 of 2018

SV(CO)
SP(21/06/2018)

सत्यमेव जयते

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