

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.12076 of 2019

and

Crl.M.P.No.6256 of 2019

1.Sathiyabarathi
2.Suriyabarathi
3.Kalaiventhan
4.Kalaimukilan
5.Hariharan
6.Krishnan

.... Petitioners

Vs.

1.State rep by its,
The Inspector of Police
Tiruvarur Town Police Station
(Crime No.131 of 2019)

2.Batsha Rettayar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in FIR.No.131 of 2019 on the file of the Tiruvarur Twon Police Station and quash the same.

For Petitioner : Mr.N.R.Elango Senior Counsel
For Mr.E.Raj Thilak

For Respondents : Mr.M.Mohamed Riyaz
Addl. Public Prosecutor for R1

: Mr.G.R.Deepak for R2

ORDER

The Criminal Original Petition by the petitioner filed under Section 482 Cr.P.C. to call for the records in FIR.No.131 of 2019 on the file of the Tiruvarur Twon Police Station and quash the same.

2.The case is still in the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3.An affidavit has been filed by the petitioner before this Court submitting that the respondent police named certain accused in the FIR and it reads as if the 2nd respondent has identified them during the occurrence and the same is totally untrue and the 2nd respondent knew who are the two groups who had come to the theatre not their identify and the affidavit is filed to placed the true facts before this Court.

4.Under such circumstances, no useful purpose will be served in keeping the First Information Report pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in 2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the FIR No.131 of 2019 on the file of Tiruvarur Town Police Station.

5.Accordingly, This Criminal Original Petition stands allowed and as a sequel, the proceedings in No.131 of 2019 on the file of Tiruvarur Town Police Station, is quashed and the affidavit filed by the 2nd respondent dated petitioner dated 29.04.2019 shall form part and parcel of this Order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police
Tiruvarur Town Police Station

2.The Public Prosecutor
High Court of Madras

Crl.O.P.No.12076 of 2019
and
Crl.M.P.No.6256 of 2019

PA (CO)
GN (27/05/2019)