

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CrI.O.P.No.1676 of 2020
and
CrI.M.P.No.1053 of 2020

Prabhu @ Prabakaran ..Petitioner/Accused No.2

-Vs-

1.The State Rep by
The Inspector of Police,
Velur Police Station,
Namakkal District. ...1st Respondent/Complainant

2.M.Chandrasekaran ... 2nd Respondent/Defacto
Complainant

Prayer:

Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records and quash the proceedings in Crime No.385 of 2019 pending on the file of the Velur Police Station, Namakkal District for the offences under Sections 294(b), 323, 324 and 506(ii) IPC.

For Petitioner : Mr.Deepanuday

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed by the Accused No.2 to call for the records and quash the proceedings in Crime No.385 of 2019 pending on the file of the Velur Police Station, Namakkal District for the offences under Sections 294(b), 323, 324 and 506(ii) IPC.

2. Based on the complaint lodged by the second respondent, the first respondent has registered an FIR in Crime No.385 of 2019 under Sections 294(b), 323, 324 and 506 (ii) of I.P.C.

3. 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.

4. A joint memo of Compromise, dated 10.02.2020 has been filed before this Court which has been signed by the petitioner and the 2nd respondent and also by their respective counsel. The petitioner and the 2nd respondent also present in person before this Court. This Court also enquired both the parties and satisfied that the parties have come to an amicable settlement between themselves.

5. Under such circumstances, no useful purpose will be served in keeping the case 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Case in Crime No.385 of 2019 on the file of the first respondent police.

6. This Criminal Original Petition stands allowed and as a sequel, the F.I.R in Crime No.385 of 2019 on the file of the first respondent, is hereby quashed against the petitioner/Accused No.2 alone and the terms of Memo of Compromise shall form part and parcel of this order. The first respondent is directed to proceed against the Accused No.1 in accordance with law. Consequently, connected miscellaneous petition is closed.

(Xerox copy enclosed memo of compromise)

Sd/-

Assistant Registrar(MDU -I)

//True Copy//

Sub Assistant Registrar

mfa

To

1.The Inspector of Police,
Velur Police Station,
Namakkal District.

2.The Public Prosecutor,
High Court, Madras.

+1cc to M/S. Deepanuday, Advocate, S.R.No.1676

SV(CO)

EU 25.6.2020

Cr1.O.P.No.1676 of 2020

and

Cr1.M.P.No.1053 of 2020