

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2020

CORAM

THE HONOURABLE MR. JUSTICE P.RAJAMANICKAM

CRL.O.P.No.1745 of 2020

1.Sarath @ Sarath Kumar
2.Sathish @ Sathish KumarPetitioners

Vs.

1.State by,
The Inspector of Police
Vellore South Police Station
(Law & Order)
Vellore District
Crime No.662 of 2015

2.Munusami ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.662 of 2015 on the file of the Inspector of Police, Vellore South Police Station (Law & Order), Vellore District and quash the FIR pending against the petitioners.

For Petitioners: Mr.S.Silambuselvan

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

ORDER

The Criminal Original Petition has been filed to call for the records in Crime No.662 of 2015 on the file of the Inspector of Police, Vellore South Police Station (Law & Order), Vellore District and quash the FIR pending against the petitioners.

2. Based on the complaint lodged by the second respondent, the first respondent has registered an FIR in Cr.No.662 of 2015 against the petitioners herein under Sections 294(b), 324, 323 and 506(ii) of IPC.

3. The case is still at the stage of investigation. By passage of time, the parties have decided to compromise the dispute amicably among themselves.

4. The Affidavit dated 24.01.2020 has been filed by the respondent/de-facto complainant before this Court. The

petitioners and the second respondent also present in person before this Court and they are identified by the first respondent. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and the same are made part of the record. In the affidavit, it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Crime No.662 of 2015. 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 First Information Report pending. Even though, the offence involved is 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., inclined to quash the First Information Report in Crime No.4 of 2019.

6. In the result, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.662 of 2015, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

dna

To

1. The Inspector of Police
Vellore South Police Station
(Law & Order)
Vellore District
Crime No.662 of 2015

2. The Public Prosecutor, Madras.

+1cc to Mr.S.Silambuselvan, Advocate, S.R.No. 6889

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PA (CO)

GN (10/03/2020)

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