

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.587 of 2021

A.Senthil Kumar

...Petitioner/
Sole Accused

.Vs.

1.The State rep.by
The Inspector of Police,
B.8, Crime Branch Police Station,
Coimbatore.

..1st Respondent/
Complainant

2.M.Bagavathy

..2nd Respondent/
De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records pertaining to the First Information Report in Crime No.523 of 2014 dated 07.09.2014, pending investigation, on the file of the Inspector of Police, B-8, Crime Branch Police Station, Coimbatore and quash the same as illegal.

For Petitioner : Mr.S.B.Viswanathan
For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor
for R 1

O R D E R

This Criminal Original Petition has been filed to call for the records in Crime No.523 of 2014 dated 07.09.2014, on the file of the 1st respondent and quash the same.

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

3. The petitioner and 2nd respondent/de-facto complainant have filed the Deed of Compromise and consent affidavit dt. 08.02.2021, before this Court. The petitioner and the 2nd respondent/de facto complainant, who is the sister of the petitioner were present before this Court. They were

identified by Mr.Dharmaraj, Sub Inspector, Coimbatore, who was also present. In the affidavit, it has been stated that the de facto complainant and the victim who is the brother of the de facto complainant, have entered into a compromise and amicably settled their issues in Crime No.523 of 2014. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

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 Gujrat), and after exercising due caution as advised by the Hon'ble Supreme Court in The State of Madhya Pradesh v. Dhruv Gurjar and Another reported in (2019) 2 MLJ Cr1 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.523 of 2014, pending on the file of the Inspector of Police, B-8, Crime Branch Police Station, Coimbatore.

5. This Criminal Original Petition stands allowed and as a sequel, the Crime No.523 of 2014, pending on the file of the Inspector of Police, B-8, Crime Branch Police Station, Coimbatore. The petitioner shall pay a sum of Rs.1000/- (Rupees One Thousand only) as costs, to the credit of the President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157), within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

KP

To

1. The Inspector of Police,
B.8, Crime Branch Police Station,
Coimbatore.

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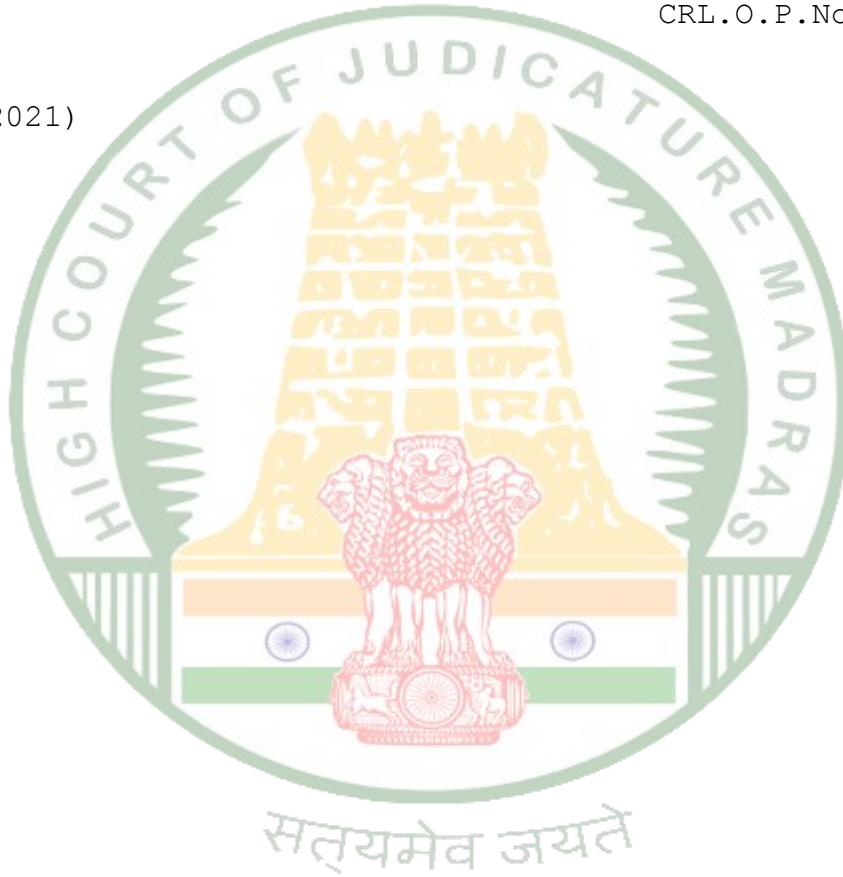
2.The Public Prosecutor,
High Court, Madras.

3.The President
Tamil Nadu Advocates Clerk Association
Madras Clerk Association
Chennai

+1 CC to Mr.S.B.Viswanathan, Advocate sr 6856.

CRL.O.P.No.587of 2021

SMI (CO)
SP(25/03/2021)



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