

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :01.03.2021
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
CrI.O.P No.3897 of 2021
and
CrI.M.P No.2316 of 2021

K.Sekar : Petitioner/Accused No.1

vs.

1. The State Rep. by
The Inspector of Police,
T-2, Ambattur Estate Police Station,
Ambattur,
Chennai - 53. : 1st Respondent/Complainant

2. Dilip Kumar : 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records in Crime No.43 of 2021 on the file of the 1st respondent and quash the FIR against the petitioner.

For Petitioner : Mr.L.Infant Dinesh
For Respondents : Mr.C.Raghavan
Government Advocate for R1

ORDER

The Criminal Original Petition has been filed to call for the records in Crime No.43 of 2021 on the file of the T-2, Ambattur Estate Police Station, Ambattur, Chennai - 53 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 the second respondent were also present and they were identified by Mr.Sundarraaj, Sub Inspector of Police, T-2, Ambattur Estate Police Station, Ambattur, Chennai - 53, who was also present at the time of hearing. The defacto complainant who was present before this Court stated that he was forced to give the complaint and according to him the petitioner is not involved in the present case. The defacto complainant has also given a written statement before the respondent police on 07.02.2021 to this effect.

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), 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 CrI 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.43 of 2021 pending on the file of the Inspector of Police, T-2, Ambattur Estate Police Station, Ambattur, Chennai - 53.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.43 of 2021, pending on the file of the Inspector of Police, T-2, Ambattur Estate Police Station, Ambattur, Chennai - 53, is quashed. The petitioner shall pay a sum of Rs.1500/- (Rupees One Thousand Five Hundred 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. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Inspector of Police,
T-2, Ambattur Estate Police Station,
Ambattur, Chennai - 53.
2. The Public Prosecutor,
High Court, Madras.
3. The President,
Tamil Nadu Advocates Clerk Association,
Madras High Court, Chennai.

+lcc to Mr.L.Infant Dinesh, Advocate, S.R.No.12577.

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PL(CO)
CSR: 01.04.2021

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