



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P. No. 7346 of 2021

1.Saran Kumar
2.Suresh @ Sureshkumar
3.Baskaran

... Petitioners

Versus

1. State rep.by its,
The Inspector of Police,
Arni Taluk Police Station,
Thiruvanamalai District.
(Crime No.330 of 2018)

2.Venkatesan

... Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pending on the file of respondent police namely Inspector of Police, Arni Taluk Police Station in Crime No.330 of 2018 and quash the same.

For Petitioner : Mr.D.Balaji

For Respondents : Mr.M.Mohammed Riyaz,
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to call for the records and quash the Crime No.330 of 2018, pending on the file of the respondent police viz., The Inspector of Police, Arni Taluk Police Station, Thiruvanamalai District.

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 affidavit dated 04.03.2021 has been filed by the second respondent/de-facto complainant before this Court. The petitioners and the second respondent/de-facto complainant were



also present through Video conferencing. In the above said affidavit, it has been stated that the petitioners and the second respondent/de-facto complainant have entered into a compromise and amicably settled their issues in Crime No.330 of 2018. This Court has also enquired both parties and 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, though, the offences alleged are 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 Gujarat), 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.330 of 2018, on the file of the 1st respondent/police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.330 of 2018, on the file of the 1st respondent police, is quashed and the terms of Affidavit shall form part and parcel of this order. [The petitioner shall pay a sum of Rs.1000/- (Rupees One Thousand only each) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), 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].

* (Xerox copy of Affidavit of Venkatasan/2nd Respondent enclosed.)

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

klt

To

1. The Inspector of Police,
Arni Taluk Police Station,
Thirvanamalai District.



2. The Public Prosecutor,
High Court, Madras.

3. The Section Officer,
Accounts Section,
High Court, Madras.

4. The Section Officer,
Criminal Section,
High Court, Madras.

CRL.O.P.No.7346 of 2021

AK-II (CO)
PM(30/07/2021)