

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 27.04.2021

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR
Crl.O.P No.7361 of 2021
and Crl.M.P.No.4906 of 2021

1.P.Rajiv Gandhi
2.Pavunraj
3.Ragupathy

... Petitioners

vs.

1.The State rep. by its,
The Inspector of Police,
Kairalabad Police Station,
Ariyalur, Tamil Nadu - 621 705.

2.Mr.Silambarasan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of FIR bearing C.R.No.51/2021 dated 13.01.2021 registered by the Kairalabath Police Station, under Section 294 (b), 323, 324 and 506 (2) of the Indian Penal Code and quash the same.

For Petitioners: Mr.A.Prakash

For R1 : Mr.M.Mohammed Riyaz,
Additional Public Prosecutor

For R2 : Mr.L.V.Baaskaran

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WEB COPY
O R D E R

The Criminal Original Petition has been filed to call for the records of FIR bearing C.R.No.51/2021 dated 13.01.2021 registered by the Kairalabath Police Station, under Section 294 (b), 323, 324 and 506 (2) of the Indian Penal Code 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 Affidavit dated 23.03.2021 has been filed by the second respondent/defacto complainant before this Court. The petitioners and the second respondent/defacto complainant were also present through Video conferencing. In the above said Affidavit it has been stated that the petitioners and the second respondent/defacto complainant have entered into a compromise and amicably settled their issues in C.R.No.51/2021. 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 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 CrL 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in C.R.No.51/2021, on the file of the 1st respondent Police.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.R.No.51/2021, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. [The petitioners 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].

*Herein enclosed the xerox copy of Affidavit
Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Inspector of Police,
Kairalabad Police Station,
Ariyalur, Tamil Nadu - 621 705.
 - 2.The Public Prosecutor,High Court, Madras.
 3. The Section Officer,
Accounts Section,High Court,Madras
- +1cc to Mr.A.Prakash, Advocate SR.No. 2563

CrI.O.P No.7361 of 2021

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<https://hcservices.ecourts.gov.in/hcservices/>
A.SK(07.07.2021)