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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.7150 of 2021

N.Nagendran

... Petitioner

Versus

State rep. by the

1. Inspector of Police,
MGR Nagar Police Station,
Chennai District.
(Crime No.677 of 2019).

2. Muthupandi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.677 of 2019 on the file of the 1st respondent/complainant to quash the same in view of the compromise entered into both parties.

For Petitioner : Mr.P.Muthamizh Selvakumar

For 1st Respondent : Mr.A.Damodaran,
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.677 of 2019, dated 18.09.2019, on the file of the 1st respondent Police.

2.The case of the prosecution is that on 18.09.2019, the petitioner went to the Tea stall of the 2nd respondent and abused him with filthy language and threatened him with dire consequences. Further, the petitioner showed the knife and snatched the amount of Rs.1,000/- from the 2nd respondent. Hence, the 2nd respondent lodged a complaint to the 1st respondent, which was registered in Crime No.677 of 2017, for offence under Section 341, 294(b), 392, 397, 336, 427 and 506(ii) IPC.



3.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.

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4.The learned Government Advocate (Crl. Side) appearing for the 1st respondent Police on instructions submitted that the petitioner has not come on any adverse notice after registration of the case and now, the 2nd respondent has come forward to compound the offence.

5.The Compromise Memo of the petitioner and the 2nd respondent has been filed before this Court. The petitioner and the 2nd respondent were present through Video conferencing. In the affidavit it has been stated that the 2nd respondent voluntarily entered into a compromise and the issues are settled amicably between us without any coercion and compulsion. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6.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 Gujraht)," 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.677 of 2019, on the file of the 1st respondent Police.

7.This Criminal Original Petition stands allowed and the proceedings in Crime No.677 of 2019, on the file of the 1st respondent police is quashed. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
MGR Nagar Police Station,
Chennai District.



2. The Public Prosecutor,
High Court, Madras.

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PCH (CO)

RLP (23/07/2021)

CRL.O.P.No.7150 of 2021