



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.7729 of 2021
and CrI.M.P.No.5105 of 2021

Sridhar

... Petitioner

Vs.

1.State by

The Inspector of Police,
Vaniyambadi Town Police Station,
Thirupathur District.
(Crime No.441/2017).

2.Paranthaman

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in investigation pending against him in Crime No.441 of 2017 on the file of the Inspector of Police, Vaniyambadi Town Police Station, Thirupathur District, so far as this petitioner is concerned and quash the same.

For Petitioner : Mr.S.Sasikumar
For R1 : Mr.A.Damodaran
Government Advocate (CrI. Side)
For R2 : Mr.K.Babu
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O R D E R

The Criminal Original Petition has been filed to call for the records in investigation pending against him in Crime No.441 of 2017 on the file of the Inspector of Police, Vaniyambadi Town Police Station, Thirupathur District, so far as this petitioner is concerned 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.Today, the petitioner and the second respondent present through Video conferencing. The second respondent/defacto complainant stated that he has no objection to quash this



Criminal Original Petition. The petitioner is alleged to have committed offence under Section 294(b), 506(i) of the IPC Section 4 of the Tamil Nadu Claiming of Exorbitant Interest Act. On apprehension the petitioner had filed an Anticipatory Bail Petition before the Principal Sessions Judge, Vellore District in CrI.M.P.No.4495 of 2017. The second respondent/defacto complainant also present before the Principal Sessions Judge, Vellore and stated that he has not given any complaint against the petitioner and hence, the Principal Sessions Judge, Vellore has granted Anticipatory Bail to the petitioner. Further he reiterated that the case to be compounded and he is not having interest to pursue the matter and the petitioner also has no previous bad antecedent. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4.The learned Government Advocate (CrI. Side) appearing for the first respondent also confirms the same.

5.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 Suprme 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.441 of 2017, on the file of the 1st respondent Police.

7.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.441 of 2017, on the file of the 1st respondent police, is quashed. [The petitioner shall pay a sum of Rs.1000/- (Rupees One Thousand only) 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]. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Vaniyambadi Town Police Station,
Thirupathur District.

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

3.The Section Officer,
(for Reporting Complainece)
Criminal Section,
High Court, Madras.

4.The Public Prosecutor,
High Court,
Madras.

Crl.O.P.No.7729 of 2021
and Crl.M.P.No.5105 of 2021

PCH(CO)
CB(23/07/2021)