



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.7883 OF 2021

1. S.Mohamed Aadhif
2. S.Salman
3. Lukman
4. A.Musthaq Ahamed
5. M.Mohammed Arshad
6. Y.Jalaudeen
7. G.Suhail Khan

... Petitioners

Versus

1. The State Represented by,
The Inspector of Police,
H1 Old Washermenpet,
Chennai-600 021.

2. R.Riyasudheen

... Respondent

PRAYER:-

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records in F.I.R.No.4854/2020 on the file of the Inspector of Police, H-1, Old Washermenpet Police Station, Chennai and quash the entire proceedings as against the petitioner.

For Petitioner : Mr.M.Velmurugan

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.4854 of 2019, dated 20.08.2020, on the file of the 1st respondent Police.

2. The case of the prosecution is that on 18.08.2020 at about 09.00 p.m., the 2nd respondent had gone to his friends



house to discuss about the online class. When they proceeded to the nearby park, the petitioners waylaid the 2nd respondent and his friends, stopped them and abused them in filthy language. When the same was questioned, the petitioners started assaulting the 2nd respondent and his friends with hands and knife. Since the public reached the scene, the petitioners escaped from the scene of occurrence. Thereafter, the 2nd respondent lodged a complaint to the 1st respondent on 19.08.2020 and the same was registered in Crime No.4854 of 2020, for offence under Sections 147, 148, 341, 294(b), 323, 324 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.

4. The Compromise Agreement of the parties dated 06.07.2021 has been filed before this Court. The petitioners and the 2nd respondent were present through Video conferencing. In the affidavit it has been stated that the parties have agreed to settle their disputes and differences amicably between themselves without recourse to litigation. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

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 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.

6. This Criminal Original Petition stands allowed and the FIR in Crime No.4854 of 2020, on the file of the 1st respondent police is quashed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
H1 Old Washermenpet,
Chennai-600 021.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Velmurugan, Advocate, S.R.No.32062

CRL.O.P.NO.7883 OF 2021

PCH(CO)
PBS(28/07/2021)