



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.12054 of 2021

1.Vadivel

2.Deepak

3.Umapathy

4.Balu

...Petitioners

Versus

1. State rep by,
The Inspector of Police, [L & O],
C-1 Flower Bazaar Police Station,
Flower Bazaar,
Chennai.
Cr.No.175/2019.

2.Gopi @ Gopinath

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Cr.No.175/2019, dated 31.05.2019 on the file of the first respondent herein and quash the same.

For Petitioner : Mr.A.Thirumaran

For R1 : Mr.A.Damodaran,
Government Advocate (Crl. Side)

For R2 : No Appearance

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.175 of 2019, dated 31.05.2019 on the file of the 1st respondent Police.

2.The case of the prosecution is that the 2nd respondent is selling fruits in the Broadway Bus Stand, Chennai. On 29.05.2019, at about 11.00 a.m., there was fight between the sister of the 2nd respondent and Malar and Uma. Due to which, the 2nd respondent's sister sustained injury and she proceeded to



the B-2 Esplanade Police Station, Chennai to lodge a complaint. For further enquiry, the 2nd respondent and his sister were instructed to come on the next day. On the same day at about 07.30 p.m., when the 2nd respondent and his sister were having tea near the Government Dental Hospital, Broadway, Chennai, the four accused named in the FIR had come there, abused and assaulted the 2nd respondent and his sister and threatened them with dire consequences. Hence, the 2nd respondent lodged the complaint before the 1st respondent Police. On receipt of the same, a case in Crime No.175 of 2015 for offence under Sections 323, 341 and 506(i) IPC was registered on 31.05.2019.

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.An Affidavit has been filed by the 2nd respondent. The 2nd respondent and petitioners present through Video conferencing. In the affidavit, it has been stated that the 2nd respondent without any threat or coercion from any person compromised the issues with the petitioners. 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 Gujrath), 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.175 of 2019, on the file of the 1st respondent Police.

6.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.175 of 2019, on the file of the 1st respondent police, is quashed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vv2



To

1. The Inspector of Police, [L & O],
C-1 Flower Bazaar Police Station,
Flower Bazaar,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Thirumaran, Advocate, S.R.No.36502

CRL.O.P.No.12054 of 2021

SS (CO)
RGA (25/08/2021)