



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.14889 of 2021

Sayed Mohammed

... Petitioner

Versus

1. The Inspector of Police,
H-2, Guduvancheri Police Station,
Kanchipuram District.

2. A.Murugan

... Respondents

PRAYER: Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the Crime No.4035 of 2020 on the file of the 1st respondent and quash the same.

For Petitioner	:	Mr.S.Ramajayam
For Respondent	:	Mr.A.Damodaran, Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to call for the records pertaining to the Crime No.4035 of 2020 on the file of the 1st respondent and quash the same.

2.The gist of the complaint is that the defacto complainant one A.Murugan lodged a complaint stating that on 24.11.2020 at about 6.00 p.m., his mother namely, Navathal, who was employed in SRM Hospital, in House Keeping along with Selvi and Krishnaveni returned from work in a share auto and got down at Nellikuppam signal. When they crossed Chengalpattu to Tambaram GST Road, at that time, a Lancer (Diesel 2.0L) Car bearing Reg.No.KL 03 G 1111 came in a rash and negligent manner, dashed against them, due to which, they sustained grievous injuries and immediately, admitted in SRM Hospital and took treatment. In this regard, the first respondent police registered a case in Crime No.4035 of 2020 for offences under Sections 279 and 337 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. An affidavit dated 26.07.2021 has been filed by the 2nd respondent/defacto complainant and Final compromised affidavits dated 02.10.2021 entered between the petitioner and the injured persons viz., A.Navatha, Krishnaveni and R.Selvi. The petitioner and the injured persons are present through Video conferencing. In the affidavit, it is stated that since the petitioner has compensated to all the injured persons viz., M.Krishnaveni, R.Selvi and Navatha, the 2nd respondent/defacto complainant is not inclined to proceed with the investigation further. This Court also enquired both the parties and 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 Gujrat), 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.4035 of 2020, on the file of the 1st respondent Police.

6. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.4035 of 2020, on the file of the 1st respondent police, is quashed against the petitioner.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sms

To

1. The Inspector of Police,
H-2, Guduvancheri Police Station,
Kanchipuram District.
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Ramajayam, Advocate, S.R.No.56012

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NRL(CO)

CT 02/12/2021