



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.14280 of 2021

1. Tharun
S/o Kupuraj
 2. Madhesh
Represented by D.Viji
(Father of the minor)
- ... Petitioners

Vs

1. State rep by:
The Inspector of Police,
H-5, New Washermenpet Police Station,
Chennai 600 081.
Crime No.1699/2021.
 2. Giridharan
- ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in FIR No.1699 of 2021 on the file of the Inspector of Police, New Washermenpet Police Station, New Washermenpet, Chennai 600 081 and quash the same.

For Petitioner : Mr.D.Sugumar

For Respondent : Mr.E.Raj Thilak
No.1 Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.1699 of 2021, dated 14.07.2021. on the file of the 1st respondent Police.

2. The case of the prosecution is that on the complaint of the defacto complainant, FIR No.1699 of 2021 was registered



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against the petitioners by the 1st respondent police under Section 379 IPC. The learned counsel for the petitioners submits that the petitioners have not committed any offence as alleged in the FIR and the name of the petitioners have not been mentioned in the FIR.

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 defacto complainant has filed an affidavit, dated 02.08.2021, stating that the issue has been settled between the parties amicably. A joint memo of compromise, dated 02.08.2021, has also been filed in this regard. 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 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.1699 of 2021, on the file of the 1st respondent Police.

6. The first petitioner has completed his schooling and he is about to join college. Both the petitioners hail from an ordinary family and their parents are fishermen and they are the first generation who have attended school to this level. Considering the age and future of the petitioners, this Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.1699 of 2021, on the file of the 1st respondent police, is quashed.

SD/-

ASSISTANT REGISTRAR

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SUB ASSISTANT REGISTRAR



1.The Inspector of Police,
H-5, New Washermenpet Police Station,
Chennai 600 081.
Crime No.1699/2021.

2.The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.14280 of 2021

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