

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 02.02.2021
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl.O.P No.16554 of 2020

Abilash

Petitioner

vs.

1. The State Rep. by
The Inspector of Police,
Saibaba colony Police Station,
Coimbatore District ...1st respondent/Complainant
(Crime NO.972 of 2019)
2. G.Rajesh ...2nd respondent /Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in FIR No.972 of 2019 on the file 1st respondent police.

For Petitioners : Mr.W.Camyles Gandhi
For Respondents : Mr.Mohammed Riyaz
for 1st respondent

ORDER

The Criminal Original Petition has been filed to call for the records relating to the Crime No.972 of 2020 on the file of the 1st respondent and quash the same by allowing this Criminal Original Petition.

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. The affidavit of the 2nd respondent has been filed before this Court which has been signed by the petitioner and the respondent and also by their respective counsel. The petitioner and the second respondent were also present through Video conferencing and they were identified by Mr.N.Chandra Mohan, Head Constable, Saibaba colony Police Station, Coimbatore District, who was also present at the time of hearing through Video conferencing. In the affidavit, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.972 of 2019. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement

between themselves.

4. 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.972 of 2019 pending on the file of the 1st respondent.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.972 of 2019, pending on the file of the Inspector of Police, Saibaba colony Police Station, Coimbatore District is quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1000/- (Rupees One thousand only) each as costs, to the credit of the President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157), 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.

***Herein enclose xerox copy of
entered a terms of Affidavit**

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

rka
To

1. The State Rep. by
The Inspector of Police,
Saibaba colony Police Station,
Coimbatore District

2. The Public Prosecutor,
High Court, Madras.

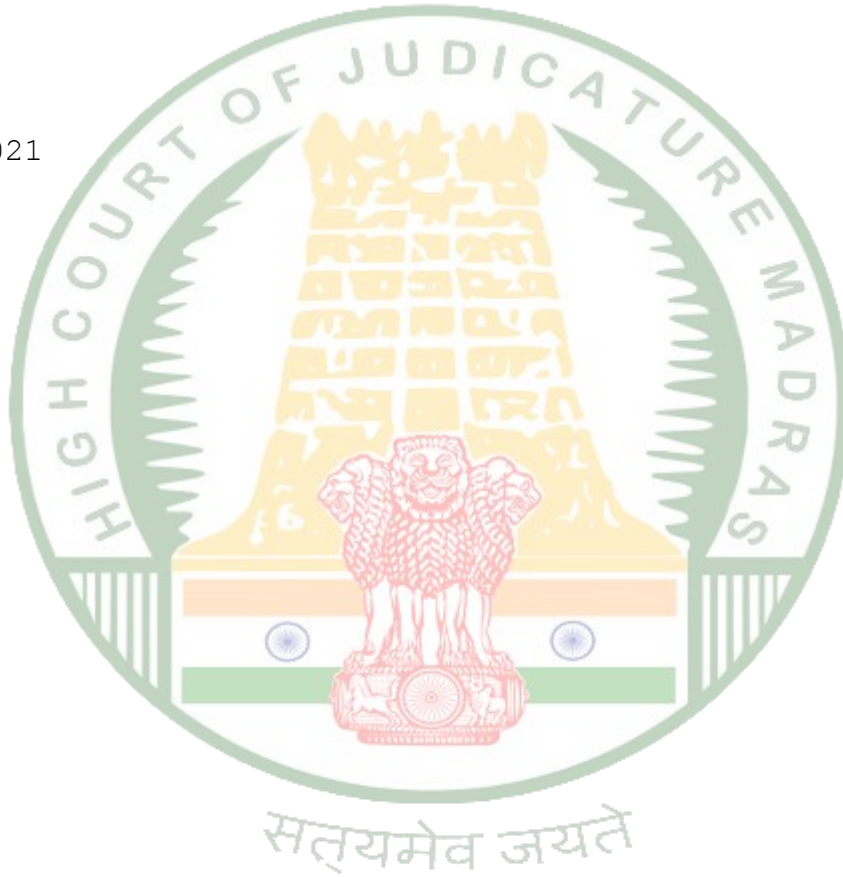
Copy to

The President,
Tamil Nadu Advocate Clerks Association
Madras, High Court, Chennai

+1 cc to Mr.W.Camyles Gandhi Advocate sr5433

Cr1.O.P No.16554 of 2020

ssd(co)
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