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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.15769 of 2021

1.Prabu

2.Soundar @ Manimaran

.. Petitioners/Accused

Versus

1.State by The Inspector of Police,
Arni Town Police Station,
Tiruvannamalai District.
(Crime No.1077 of 2020)

2.D.Ravi

.. Respondents/Complainant/Defacto Complainant

PRAYER: Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure, to quash the FIR in Cr.No.1077 of 2020 which is pending on the file of the 1st respondent on the ground of compromise.

For Petitioners : Mr.M.Rebecca

For Respondent : Mr.A.Damodaran,
No.1 Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.1077 of 2020, dated 09.05.2020 on the file of the 1st respondent Police.

2.The case of the prosecution is that the defacto complainant dealing in Egg and Chicken business in the name of Sri Abinaya Egg and Chicken Center at No.20, Arnie New Bus stand, Tiruvannamalai District. While he was in his shop, the petitioners came to his shop and demanded to give an Egg Tray, containing 30 eggs. He refused to give the same, asked him to pay back the old balance, for 10 egg trays, which were purchased earlier by them. Regarding this issue, there was a wordy quarrel between the defacto complainant and the petitioners. The petitioners started attacking and abused him with filthy



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language. They also threatened him with dire consequences. The defacto complainant lodged a complaint, based on the complaint of the defacto complainant, FIR was registered in Crime No.1077 of 2020 for the offences under Sections 294(b), 323, 448 and 506 (i) 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 24.08.2020 has been filed by the 2nd respondent/defacto complainant. The petitioners and the 2nd respondent were present through Video conferencing. In the affidavit, it has been stated that on the intervention of the elders, the disputes between the petitioners and the defacto complainant is settled and compromised. This Court 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.1077 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.1077 of 2020, on the file of the 1st respondent police, is quashed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sms/nr

To

1.The Inspector of Police,
Arni Town Police Station,
Tiruvannamalai District.
(Crime No.1077 of 2020)



2.The Public Prosecutor,
High Court, Madras.

+1CC to Mr.M.Rebecca, Advocate SR.No.53322

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SSV (CO)

B.VC (28/10/2021)