



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2021

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.16169 OF 2021

1.Ajay
2.Gabriel Jason
3.Poorvigan
4.R.Vignesh
5.K.Sujithraman
6.R.Pranav
7.B.Venkatachalam

...Petitioners

Versus

1.The State Represented by
Inspector of Police,
Ambattur Police Station,
Ambattur, Thiruvallur District,
Crime No.905 of 2018.

2.Sridharan

...Respondents

Prayer : This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code praying, to call for the records relating to the Crime No.905 of 2018 dated 17.04.2018 on the file of the first respondent and quash the same.

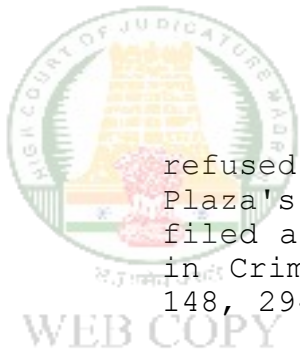
For Petitioners : Mr.R.Krishnan

For Respondents : Mr.E.Raj Thilak for R1
Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed to call for the records relating to the Crime No.905 of 2018 dated 17.04.2018 on the file of the first respondent and quash the same.

2. The case of the prosecution is that the defacto complainant/second respondent is the Manager of Surapet Toll Plaza. On 16.04.2018, the petitioners travelled by car and



refused to pay the toll charges and also damaged the Toll Plaza's camera, mirrors etc. Hence, the de-facto complainant filed a complaint against the petitioners and FIR was registered in Crime No.905 of 2018 for the offences under Sections 147, 148, 294(b) and 506(ii) and 3(1) of IPC.

3. The learned counsel for the petitioners submitted that now the petitioners and the second respondent comes down for settlement of issues between them as the second respondent was compensated the damaged articles and hence, he does not want to further proceed the complaint. Hence, the petitioners have filed this petition to quash the FIR in Crime No.905 of 2018.

4. The case is still at the stage of investigation. By passage of time, the parties have decided to compromise the dispute amicably among themselves.

5. A Joint Memo of Compromise on 29.09.2021 has been filed by the petitioners and the second respondent/de-facto complainant before this Court. The 2nd respondent and the petitioners appeared before this Court. In the Joint Memo of Compromise, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.905 of 2018. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending. Even though, the offence involved is 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), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., inclined to quash the First Information Report in Crime No.905 of 2018.

7. In the result, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.905 of 2018, on the file of the 1st respondent police, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order.

Encl.: Xerox copy of Joint Memo of compromise
dated 05/10/2021

Sd/-
Assistant Registrar(CS-VI)

// True Copy //

Sub Assistant Registrar

dna



To

1.The Inspector of Police
Ambattur Police Station
Ambattur, Thiruvallur District
Crime No.905 of 2018.

2.The Public Prosecutor
High Court, Madras.

Crl.O.P.No.16169 of 2021

EV(CO)
RVM(12/01/2022)