



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.16944 of 2021

Santhosh Kumar

...Petitioner

Versus

1. State rep. By,
The Inspector of Police,
Perambalur Police Station,
Perambalur District.
(Crime No.233 of 2019)

2. Magesh Kumar,

3. Arunkumar

4. Saravanan

5. Ramesh

6. Prabhakaran

7. Senthil

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in Crime.No.233 of 2019 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.M. Vijayaragavan

For Respondents: Mr.R.Vinothraja
Government Advocate (crl.side)

O R D E R

The Criminal Original Petition has been filed to quash the F.I.R pertaining in Crime No. 233 of 2019 on the file of the first respondent police.

2.The case of the prosecution is that the first petitioner was working as a supervisor in MRF Company at Chennai. In the month of April 2019, he took leave and came to his native place to take practice for the sub-inspector of police exam. On 06.04.2019, when the petitioner and his friend were practising at the Perambalur stadium they shouted, which was questioned by the



Second Respondent/First Accused, due to which a wordy quarrel arose between them and the Second Respondent scolded the petitioner in filthy language and left the place. Again at about 7.30 P.M, all the accused persons came there and attacked the petitioner with hands and stones and also threatened with dire consequences. Therefore, a complaint has been lodged against the accused and case was registered in Crime No.233 of 2019 .

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 27.08.2021 has been filed by the petitioner. The petitioner and the respondents 2 to 8 are present before this Court. In the Affidavit, it is stated that the petitioner and the Respondents 2 to 7 (accused 1 to 6) have entered into a compromise, and therefore he is not inclined to proceed with the investigation further. 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 Gujrath), 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.405 of 2016, on the file of the 1st respondent Police.

6.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.233 of 2019, on the file of the 1st respondent police, is quashed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

arr



To

1. The Inspector of Police,
Perambalur Police Station,
Perambalur District.

2. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.M.Vijayaragavan, Advocate, S.R.No.60448

Crl.O.P.No.16944 of 2021

GPL (CO)
RGA (07/12/2021)