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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.16556 of 2021

1. Kamal @ Amaladoss,
S/o. D.Anthony
2. Dhileeban @ Dhileebanraj
S/o. Maruthupandi
3. Venkat @ Venkatesan,
S/o. Ezhumalai
4. Prabha @ Arun Prabhakaran,
S/o. Maruthupandi
5. Hemnath @ Hemankumar,
S/o.S.K.Thanga Raj
6. R.Maruthupandiyan,
S/o. Ramiah

...Petitioners

Versus

1. State rep. by
Inspector of Police,
N-1 Royapuram Police Station,
Chennai-600 013.
2. Rakesh @ Arun,
S/o Nithiyaruban

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records connecting with Crime No.1083 of 2021 on the file of 1st respondent police and quash the same.

For Petitioner : M.I.Javid Akbar

For Respondent : Mr.A.Damodaran,
Addl. Public Prosecutor



ORDER

(This case has been heard through Video Conference)

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This Criminal Original Petition has been filed to quash the FIR in Crime No.1083 of 2021, dated 01.08.2021 on the file of the 1st respondent Police.

2. The case of the prosecution is that on 31.07.2021 at about 05.00 p.m. when the 2nd petitioner playing football, accidentally, the ball hit the defacto complainant. Hence, a wordy quarrel arose between the petitioners and the defacto complainant, thereby, both have attacked each other with deadly weapons and also threatened them. Hence, he lodged a complaint before the 1st respondent police. On receipt of the same, a case in Crime No.1083 of 2021 was registered for the offences under Sections 147, 148, 341, 294(b), 323, 324 and 506(2) of 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. The petitioners and the 2nd respondent/defacto complainant have filed a joint compromise memo, dated 01.09.2021 and also filed affidavit to that effect. The petitioners and the 2nd respondent are present through Video conferencing. In the joint compromise memo, it is stated that in the interest of protecting the life of both the parties and their futures, compromise has been evolved between both the defacto complainant and the accused persons, and the defacto complainant 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 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.1083 of 2021, on the file of the 1st respondent Police.

6. This Criminal Original Petition stands allowed and as a



sequel, the investigation in Crime No.1083 of 2021, on the file of the 1st respondent police, is quashed against the petitioners.

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Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

rpp/nr

To

1. Inspector of Police,
N-1 Royapuram Police Station,
Chennai-600 013.
2. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.16556 of 2021

PCH(CO)
RGA(20/10/2021)