



WEB COPY

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.16563 of 2021

and

CrI.M.P. No. 9040 of 2021

Prakash,
S/o. Jayapal

... Petitioner

Versus

1.State rep. by
Inspector of Police,
Ulundurpet Police Station,
Villupuram Dt.
(Crime No.317 of 2015)

2.Ravi @ Ravichandran,
S/o. Rangasamy

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in connection with Crime No.317 of 2015 on the file of Inspector of Police, Ulundurpet Police Station, Villupuram District and quash the same.

For Petitioner : Mr.S.Saravana Kumar

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

ORDER

(This case has been heard through Video Conference)

This Criminal Original Petition has been filed to quash the FIR in Crime No.317 of 2015, dated 24.07.2015 on the file of the 1st respondent Police.

2. The case of the prosecution is that on 24.07.2015 at about 04.30 p.m., there was a quarrel between his brother and 1st accused and when the defacto complainant tried to solve the



issue, the 1st accused had intervened, abused him in filthy language, armed him with weapons and also threatened him. Hence, he lodged a complaint before the 1st respondent police. On receipt of the same, a case in Crime No.317 of 2015 was registered for the offences under Sections 294(b), 323, 324 and 506(ii) 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 petitioner and the 2nd respondent/defacto complainant have filed a joint compromise memo dated 18.08.2021. The petitioner 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.317 of 2015, on the file of the 1st respondent Police.

6.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.317 of 2015, on the file of the 1st respondent police, is quashed against the petitioners. Consequently, connected Cr1.M.P. is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rpp/nr



To

1. The Inspector of Police,
Ulundurpet Police Station,
Villupuram Dt.

2. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.16563 of 2021

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