

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P Nos.18810 & 18943 of 2020
and Crl.M.P Nos.7439 & 7502 of 2020

V.P.Vijayan

Petitioner in
Crl.O.P.No.18810 of 2020

B.E.Raja

Petitioner in
Crl.O.P.No.18943 of 2020

vs.

1. The State Rep. by
The Inspector of Police,
Pothatturpet Police Station,
Thiruvallur District.
(Crime No.197 of 2019)

2. Mrs.Neela Respondents in
Both Crl Ops

COMMON PRAYER: Criminal Original Petitions are filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to Crime No.197 of 2019 on the file of the Inspector of Police, Pothatturpet Police Station, Thiruvallur District and quash the same.

For Petitioners : Mr.A.Saravanan
in both Crl.O.Ps
For Respondents : Mr.M.Mohammed Riyaz
in both Crl.O.Ps Additional Public Prosecutor for R1
Mr.R.Madhubala for R2

ORDER

These Criminal Original Petitions have been filed to call for the records pertaining to Crime No.197 of 2019 on the file of the Inspector of Police, Pothatturpet Police Station, Thiruvallur District and quash the same.

2. 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.

3. A Joint Memo of Compromise dated 30.09.2020 & 27.10.2020 have been filed before this Court which have been signed by the

petitioners and the respondent and also by their respective counsel. The petitioners and the second respondent were also present through Video conferencing and they were identified by Mr.Rajendran, Sub Inspector of Police, Pothatturpet Police Station, Thiruvallur District. In the affidavit it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.197 of 2019. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. 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.197 of 2019 on the file of the Inspector of Police, Pothatturpet Police Station, Thiruvallur District.

5. These Criminal Original Petitions stands allowed and as a sequel, the FIR in Crime No.197 of 2019, on the file of the Inspector of Police, Pothatturpet Police Station, Thiruvallur District, is quashed insofar as the petitioners A12 and A14 are concerned and the terms of affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

6. Since the offence involved is under SC/ST Act and it is brought to the notice of this Court by the Sub Inspector of Police, who was present through Video conferencing that the investigation is conducted by the Deputy Superintendent of Police, Tiruttani, it is made clear that the investigation can continue insofar as other accused persons are concerned.

Sd/-

Assistant Registrar(CS II)

//True Copy//

ssr

Sub Assistant Registrar

To

1. The Deputy Superintendent of Police, Tiruttani.

2. The Inspector of Police,
Pothatturpet Police Station,
Thiruvallur District.

3. The Public Prosecutor,
High Court, Madras.

+2cc to M/s.A.Saravanan, Advocate, S.R.No.1505 & 1504

Crl.O.P Nos.18810 & 18943 of 2020
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(CO)
rv(04/02/2021)



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