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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.17516 of 2021

1.Sathishkumar
2.Senthilkumar
3.Suresh
4.Prasanth
5.Munusamy
6.Neppoliyan
7.Vikraman
8.Sugumar
9.Rajkumar
10.Saravanan
11.Prakash @ Birla
12.Prabhakaran
13.Murali

... Petitioners/Accused 1 to 13

Versus

1.The state rep by,
The Inspector of Police,
Avalur Police Station,
Ranipet District.
(Crime No.16/2016).

2.Parimala ... Respondents/Prosecuting Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records in Crime No.16 of 2016 pending investigation on the file of the 1st respondent Police and to quash as against the petitioners.

For Petitioners : Mr.R.Thirumoorthy

For R1 : Mr.A.Damodaran,
Additional Public Prosecutor

For R2 : Mr.T.Aurl



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ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.16 of 2016, dated 17.01.2016 on the file of the 1st respondent Police.

2.The case of the prosecution is that the 2nd respondent and her husband are agriculturist. On 16.01.2016, there was a wordy quarrel between one Rosy and Thirumalai, at that time, the son of the 2nd respondent's sister-in-law Sakthi was there and the 2nd respondent accompanied the said Sakthi from the scene. When the son of the 2nd respondent Rasukutti had gone to Perumal Temple, A1 to A4 intercepted and assaulted him for the occurrence held on 16.01.2016. The 2nd respondent's son returned to home and informed the happenings. Thereafter, the 2nd respondent, her husband and her brother-in-law had gone to the house of Subramani, father of A3 & A4 to question the act of his sons. At that time, A5 to A13 intercepted the brother-in-law of the 2nd respondent and assaulted him by using weapons. On hearing the sound, when the 2nd respondent and her husband attempted to secure him, A5 to A13 threatened them by showing weapons and escaped from the scene. Thereafter, the brother-in-law of the 2nd respondent was admitted in the Government Hospital, Adukamparai for treatment and a complaint was lodged before the 1st respondent Police by the 2nd respondent and the same was taken on file as FIR in Crime No.16 of 2016, for offence under Sections 294(b), 147, 148, 341, 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 accused and the 2nd respondent have filed the Joint Compromise Memo. The petitioners and the 2nd respondent are present through Video conferencing. 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.16 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.16 of 2016, on the file of the 1st respondent police, is quashed against the petitioners.

Sd/-

Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

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To

1.The Inspector of Police,
Avalur Police Station,
Ranipet District.

2.The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.17516 of 2021

MG(CO)
CB(29/11/2021)