

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P No.18720 of 2020

Rajesh

.. Petitioner

vs.

1. State through
The Inspector of Police,
Tirumurugamboondi Police Station,
Tiruppur District.

2. Mr.Arun sharma
(Cr.No.3435/2020)

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records connected with the case in Cr.No.3435 of 2020 on the file of the respondent police and quash the same as illegal insofar as the petitioner is concerned.

For Petitioner : Mr.R.Raj Prabhu

For Respondents: Mr.M.Mohammed Riyaz

Additional Public Prosecutor for R1

Mr.Arun Sharma for R 2

ORDER

This Criminal Original Petition has been filed to call for the records in Cr.No.3435/2020, on the file of the 1st respondent 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. Affidavit dt.19.11.2020, have been filed by the de facto complainant and the victim, who is the wife of the de facto complainant before this Court. They were present through Video conferencing and they were identified by Mr.Senthil Kumar, Sub Inspector, Tirumurugamboondi Police Station, Tiruppur, who was also present through Video conferencing. In the affidavit, it has been stated that the de facto complainant and the victim who is the wife of the de fact complainant, have entered into a compromise and amicably settled their issues in

Crime No.3435 of 2020. 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 Cri 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.3435 of 2020, pending on the file of the Inspector of Police, Tirumurugamboondi Police Station, Tiruppur District.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.3435 of 2020, on the file of the Inspector of Police, Tirumurugamboondi Police Station, Tiruppur District. The petitioner shall pay a sum of Rs.2500/- (Rupees Two Thousand Five Hundred only) as costs, to the credit of the President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157), within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

Sd/-

Assistant Registrar(cs ii)

//True Copy//

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To

Sub Assistant Registrar

1. The Inspector of Police,
Tirumurugamboondi Police Station,
Tiruppur District.

2. The Public Prosecutor,
High Court, Madras.

Copy to:

The President,
Tamil Nadu Advocates Clerk Association,
Madras High Court,
Chennai

2. The Secion Officer,
Criminal Section,
High Court, Madras.

Crl.O.P No.18720 of 2020

rsv(CO)
rv(01/02/2021)



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