



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.18847 of 2021

1.C.Prasanth
2.G.Chinndadurai
3.S.Raja

...Petitioners/Accused 1 to 3

Versus

1.The State Rep by,
The Sub Inspector of Police,
Vettavalam Police Station,
Tiruvanamalai District.

..1st Respondent/Respondent

2.M.Arumugam

...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to Crime No.389 of 2021 pending on the file of the 1st respondent and quash the same by allowing the present Criminal Original Petition.

For Petitioners : Mr.M.Sarath Kumar

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

For R2 : Ms.Archana

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.389 of 2021, dated 26.06.2021 on the file of the 1st respondent Police.

2.The case of the prosecution is that on 25.06.2021, the 2nd respondent and his wife went to Sakrathamadai Village, Vettavalam Taluk to arrange marriage for one Shanthi, who is his relative. Due to previous enmity, the wife of the petitioner went to the house of the 2nd respondent and abused Shanthi.



After the 2nd respondent and his wife reached the home, the said Santhi informed the happenings. When the 2nd respondent went to the house of the petitioner to question the same, the petitioners assaulted the 2nd respondent and also abused him with filthy language. Hence, he was admitted in the hospital and after taking treatment, he lodged a complaint before the 1st respondent Police and the same was registered in Crime No.389 of 2021, for offence under Sections 294(b) and 324 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 have filed the Joint Compromise Memo and they 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.389 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.389 of 2021, on the file of the 1st respondent police, is quashed against the petitioners.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Sub Inspector of Police,
Vettavalam Police Station,
Tiruvanamalai District.

2.The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.18847 of 2021

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