



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2021

CORAM :

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.19298 of 2021

Periyasamy

...Petitioner

Versus

1.State Rep.by
The Inspector of Police
Perambalur District.
(Crime No.1155 of 2021)

2.Sambathkumar @ Sambath

3.Santhoshkumar @ Santhosh

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in connection with the impugned FIR in Crime No.1155 of 2021 on the file of the first respondent and quash the same.

For Petitioner : Mr.M.Vijayaragavan

For Respondent : Mr.A.Damodaran for R1
Additional Public Prosecutor

O R D E R

This petition has been filed to call for the records in connection with the impugned FIR in Crime No.1155 of 2021 on the file of the first respondent and quash the same.

2. The case of the prosecution is that the petitioner's daughter Nirosha was in love with the second respondent/first accused. Due to some misunderstanding between them, they got separated. Then, the second respondent attacked his daughter Nisha. Further, when the petitioner, while returning to home, the respondents 2 and 3 picked up quarrel and attacked the petitioner. Hence, an FIR in Crime No.1155 of 2021 came to be registered against the respondents 2 and 3.

3. The case is still at the stage of investigation. By passage of time, the parties have decided to compromise the dispute amicably among themselves.



4. An Affidavit dated 20.09.2021 has been filed by the petitioner/de-facto complainant before this Court. The petitioner and the respondents 2 & 3 present through Video conferencing. In the affidavit, it has been stated that the petitioner and the respondents 2 & 3 have entered into a compromise and amicably settled their issues in Crime No.1155 of 2021. 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 offence involved is 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), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., inclined to quash the First Information Report in Crime No.1155 of 2021.

6. In the result, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.1155 of 2021 on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order.

Encl.: Xerox copy of Affidavit
dated 20.09.2021.

Sd/-
Assistant Registrar(CS-VIII)

// True Copy //

Sub Assistant Registrar

dna

To

1.The Inspector of Police
Perambalur District.
(Crime No.1155 of 2021)

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Vijayaragavan, Advocate SR.No.54668 (27/12/2021)

CRL.O.P.No.19298 of 2021

GPL(CO)
RVM(30/11/2021)