



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 17.11.2021
CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.19625 of 2021

1. Keera @ Moorthy
2. S.P.Mukilan @ P.Yesudoss
3. Ramachandran ... Petitioners/Accused 1 to 3

Versus

1. The State
Rep. by the Inspector of Police,
R-9, Valasaravakkam Police Station,
Chennai - 600 087.
(Cr.No.371 of 2019).
- 2.Favince Paul ... Respondents/Complainant/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in Crime.No.371 of 2019 pending in the file of the First respondent and quash the same.

For Petitioners : Mr.V.Raja
For Respondents : Mr.A.Damodaran for R1
Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed to quash the F.I.R pertaining in Crime No. 371 of 2019 on the file of the first respondent police.

2.The case of the prosecution is that the 2nd respondent herein is a producer in Film Industry. When he was producing movie by name "paraa", the petitioners herein came to his office to get the information about the accounts of the said movie. During conversation between them, the petitioners asked the 2nd respondent to transfer the patent right of the movie in their name. When the 2nd respondent opposed their demand, the petitioners attacked the 2nd respondent. Thereafter, 7 strangers came to the office of the Second Respondent and assaulted him with knife, for which he was admitted in the hospital. Therefore, the 2nd respondent filed a complaint against the petitioners and based on which, F.I.R came to be registered against the petitioners in Crime No. 371 of 2019 for the offences punishable under Section 147, 323 and 324 of Indian Penal Code.



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.A Common Affidavit dated 27.09.2021 has been filed by the Petitioners. The Petitioners and the 2nd respondent are present through Video conferencing. In the common affidavit, it is stated that on the basis of the efforts and attempts made by the friends and well wishers of the petitioners and 2nd respondent misunderstandings cleared and issues were now compromised, they not inclined to proceed with the investigation further. 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.371 of 2019, on the file of the 1st respondent Police.

6.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.371 of 2019, on the file of the 1st respondent police, is quashed against the petitioners.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The State

Rep. By the Inspector of Police,
R-9, Valasaravakkam Police Station,
Chennai - 600 087.
(Cr.No.371 of 2019).

2.The Public Prosecutor,High Court, Madras.

Cr1.O.P.No.19625 of 2021

GPL (CO)

A.SK(06.12.2021)

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