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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.18519 of 2021

N.Nagendran

...Petitioner

Versus

1. State rep.by the
The Inspector of Police
M.G.R.Nagar, Police Station
Chennai District.
(Crime No.3125 of 2014)

2.M.Rajasekar

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.3125 of 2014 pending on the file of the first respondent to quash the same in view of the compromise entered into both parties.

For Petitioner : Mr.P.Muthamizhselvakumar

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 Crime No.3125 of 2014 pending on the file of the first respondent to quash the same in view of the compromise entered into both the parties.

2. The case of the prosecution is that the petitioner and other accused teased some girls in the locality and the same was questioned by the second respondent/de-facto complainant. Hence, the petitioner and others attacked the de-facto complainant using cricket bat and stump. Due to the attack, the second respondent/de-facto complainant sustained injuries and admitted in the hospital and took treatment. Hence, FIR in Crime No.3125 of 2014 came to be registered against the petitioner and other accused.



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.

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4. A Joint Compromise Memo dated 30.08.2021 has been filed by the second respondent/defacto complainant before this Court. The second respondent/defacto complainant and the petitioner physically appeared before this Court. In the Joint Compromise Memo, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.3125 of 2014. 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.3125 of 2014.

6.In the result, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.3125 of 2014 on the file of the 1st respondent police, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order.

(*) Xerox copy of Memo of Compromise dated 30.08.2021 enclosed.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

dna

To

1. The Inspector of Police
M.G.R.Nagar, Police Station
Chennai District(Crime No.3125 of 2014)

2. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.18519 of 2021

GPL(CO)
RGA(30/11/2021) (17/12/2021)