

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.20333 of 2020

and

Crl.M.P.No.8501 of 2020

1.Ravichandran @ Ari
2.Varatharaj
3.Periyasami
4.Azhakarsami .. Petitioner/Accused 1 to 4

Vs.

1.State rep.by
The Sub-Inspector of Police,
Ulundurpet Police Station,
Villupuram District,
Crime No. 409/2016 ..1st Respondent/Complainant
2.Prabu ..2nd Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.409 of 2016 on the file of the Sub-Inspector of Police, Ulundurpet Police Station, Villupuram District and quash the same.

For Petitioner : Mr. S. Saravana Kumar

For Respondents: Mr. M. Mohamed Riyaz, for R1
Additional Government Pleader

O R D E R

The Criminal Original Petition has been filed to call for the records relating to the Crime No.409 of 2016 on the file of the first respondent and quash the same by allowing this Criminal Original Petition.

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. A Joint Memo of Compromise dated 08.10.2020 has been filed before this Court which have been signed by the petitioners and the respondent and also by their respective counsel. The petitioners and the second respondent were also present through Video conferencing and they were identified by Mr.Ramachandran, Head Constable, Ulundurpet Police Station, Villupuram District, who was also present at the time of hearing through Video conferencing. In the affidavit it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.409 of 2016. 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 Gujrath), 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.409 of 2016 pending on the file of the Sub-Inspector of Police, Ulundurpet Police Station, Villupuram District.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.409 of 2016, pending on the file of the Sub-Inspector of Police, Ulundurpet Police Station, Villupuram District, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioners shall pay a sum of Rs.2,500/- (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. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1.The Sub-Inspector of Police,
Ulundurpet Police Station,
Villupuram District.

2.The Public Prosecutor,
High Court, Madras.

3.The President,
Advocate Clerk Association,
Highcourt,
Madras.

+lcc to Mr.S. SARA VANAKUMAR, Advocate, S.R.No.4947

GSM(CO)
SM/24/02/2021

Cr1.O.P No.20333 of 2020 and

Cr1.M.P.No.8501 of 2020



WEB COPY