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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.19226 of 2021

- 1.Saravanan.M
- 2.Elavarasan.V
- 3.Purushothaman.A
- 4.Karthick.B
- 5.Lokesh.K
- 6.Gokulan.J
- 7.Chandrasekar.K
- 8.Magesh.C
- 9.Vigneshwaran.V

... Petitioners

Versus

1. State by;
Sub-Inspector of Police,
Nemili Police Station,
Ranipet District.

2. Kumaresan.V

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and may be pleased to quash the FIR in Crime No.12 of 2020, pending investigation, on the file of the Inspector of Police, Nemili Police Station, Ranipet District to quash the same for the reasons stated above.

For Petitioners : Mr.J.Asokan

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



For R2

: Mr.K.Muthukannan and
Mr.Aswin Raj

ORDER

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This Criminal Original Petition has been filed to quash the FIR in Crime No.12 of 2020, dated 11.01.2020 on the file of the 1st respondent Police.

2.The case of the prosecution is that the 2nd respondent was studying B.Sc., Computer Science in Government Arts and Science College, Arakonam. During the month of October 2019, there was a fight between the first year B.Sc., Computer Science students and the third year B.A., Tamil students. Due to which, all of them were suspended by the college authorities and thereafter, joined the college. On 09.01.2020, there was a fight between the 2nd respondent's friend Gokul and the 1st petitioner near Senthamangalam Bus Stop. Following the same, on 10.01.2020, at about 03.30 p.m., when the 2nd respondent and his friends came out from the college, all the accused attacked the 2nd respondent and his friends by using hands and also threatened them with dire consequences. After taking treatment from the hospital, the 2nd respondent has lodged a complaint to the 1st respondent Police and the same was taken on file as FIR in Crime No.12 of 2020, for offence under Sections 147, 341, 323, 506(i) and 307 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.All the accused and the 2nd respondent have filed separate affidavit before this Court and also filed the Joint Compromise Memo. The petitioners and the 2nd respondent 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.12 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.12 of 2020, on the file of the 1st respondent police, is quashed against the petitioners.

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Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

vv2

To

1. The Sub-Inspector of Police,
Nemili Police Station,
Ranipet District.
2. The Public Prosecutor,
High Court, Madras.

+9ccs to M/s.Ganesh Rajan, Advocate, S.R.No.54733

CRL.O.P.No.19226 of 2021

SU(26/11/2021)