



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.19894 of 2021

1.Vajiravel
2.Silambarasan
3.Manogaran

... Petitioners/Accused 1 to 3

Versus

1.State by its
Inspector of Police,
Sholingur Police Station,
Sholingur, Ranipet District.
(Crime No.334 of 2021)

2.Shankar ... Respondents/Complainant
/Defacto Complainant

PRAYER: Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure to call for the records relating to the case in Crime No.334 of 2021 pending investigation on the file of the 1st respondent and quash the same.

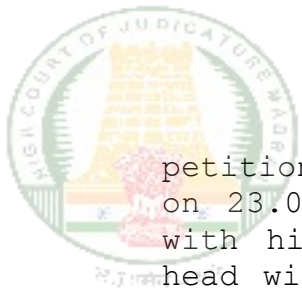
For Petitioners :Mr.K.G.Senthilkumar

For Respondent :Mr.A.Damodaran,
No.1 Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to call for the records relating to the case in Crime No.334 of 2021 pending investigation on the file of the 1st respondent and quash the same.

2.The case of the prosecution is that The defacto complainant's Aunt viz., Amsa's 17 chicken were suddenly died. In this regard, the dispute arose between the petitioners and the defacto complainant and the defacto complainant viz., Shankar S/o Subramani lodged a complaint stating that the



petitioners herein assaulted him, his brother and brother-in-law on 23.09.2021 at about 7.30pm, Vajiravel assaulted his brother with his hands, A2 assaulted the defacto complainant over his head with a knife, A3 assaulted with a stick all over the body and threatened with dire consequences. Hence, the first respondent police has registered a case in Crime No.334 of 2021 for offences under Section 341, 294(b), 323, 324, 307 and 506(ii) IPC on 24.09.2021.

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.An affidavit dated 19.10.2021 has been filed by the 2nd respondent. The petitioners and the 2nd respondent are present through Video conferencing. In the affidavit, it is stated that since the 2nd respondent and the petitioners now compromised, he is not inclined to proceed with the investigation further. This Court also enquired both the parties and 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 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.334 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.334 of 2021, on the file of the 1st respondent police, is quashed against the petitioners.

SD/-

ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR



1.The Inspector of Police,
Sholingur Police Station,
Sholingur, Ranipet District.
(Crime No.334 of 2021)

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.G.Senthil Kumar, Advocate Sr.55448

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srg 01/12/2021