

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.20771 of 2020

1. Arthi Raja

2. Palaniappan

3. Arunkumar

4. Ashok Raja

Petitioners

vs.

1. The State Rep. by
The Inspector of Police,
Sulur Police Station,
Coimbatore District.
(Crime No.54 of 2020)

2. Srinivasan

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the Crime No.54 of 2020 on the file of the 1st respondent and quash the same by allowing this Criminal Original Petition.

For Petitioners: Mr.T.Balachandran

For Respondents: Mr.M.Mohammed Riyaz
Additional Public Prosecutor for R1
Mr.K.Sathish for R2

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ORDER

The Criminal Original Petition has been filed to call for the records relating to Crime No.54 of 2020 on the file of the 1st 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. The affidavit dated 21.12.2020 has been filed by the respondent/de-facto complainant before this Court. The

petitioners and the second respondent were also present through Video conferencing and they were identified by Ms.Yamuna Devi, Inspector of Police, Sulur Police Station, Coimbatore, 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.54 of 2020. 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 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 CrL 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.54 of 2020 pending on the file of the Inspector of Police, Sulur Police Station, Coimbatore.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.54 of 2020, pending on the file of the Inspector of Police, Sulur Police Station, Coimbatore, is quashed and the terms of affidavit shall form part and parcel of this order. It is reported that the first petitioner continues to be in judicial custody. In view of the quashing of the FIR, the 1st petitioner shall be released from the jail forthwith. The petitioners shall pay a sum of Rs.2000/- (Rupees Two Thousand only) as costs, forthwith, 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), and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Inspector of Police,
Sulur Police Station,
Coimbatore District.

2. The Superintendent of Prison,
Coimbatore Central Jail, Coimbatore.

3. The Section Officer,
Criminal Section,
High Court, Madras.

4. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.Balachandran, Advocate, S.R.No. 2102

Crl.O.P No.20771 of 2020

MG(CO)
GN(22/01/2021)



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