



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.17688 of 2021

WEB COPY

1.Kabilan
2.Shyam @ Samraj

... Petitioner/
Accused Nos.5 & 6

vs.

1.State through by
The Inspector of Police,
Allinagaram Police Station,
Theni District.
(In Crime No.93/2020)

... Respondent/Complainant

2.Hariharan

... 2nd Respondent /
Defacto complainant

3.Balakrishnan

... 3rd Respondent/Victim

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to the FIR in Crime No.93 of 2020 on the file of the first respondent against the petitioner and quash the same.

For Petitioner	: Mr.C.Susi Kumar
For R1	: Mr.M.Sakthikumar Government Advocate
For R2 & R3	: Mr.R.Maheswaran

O R D E R

This Criminal Original Petition has been filed for quashing the FIR in Crime No.93 of 2020 registered on the file of the first respondent.

2. The petitioners herein are figuring as accused. The defacto complainant Balakrishnan is present in person before me. He has been duly identified by Thiru.S.Seenivasan SSI of Police attached to Allinagaram Police Station, Theni District.

3. The learned Government Advocate, on instructions from the police, submitted that the petitioners are having previous cases. The petitioners solemnly undertook before this Court that they will not indulge in any criminal activity in future. I made it clear that if this undertaking is breached, this Court will not hesitate to recall the order that is now proposed to be passed in this case. The parties have also filed a joint memo of compromise.



The defacto complainant Balakrishnan also does not want to pursue the matter. The impugned FIR is quashed. This Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Inspector of Police,
Allinagaram Police Station,
Theni District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.(MD)No.17688 of 2021
22.11.2021

DJ(CO)
GC(04.12.2021) 2P 3C