



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2022

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.6365 of 2022

and

Crl.M.P.No.3565 of 2022

Balasoundary @ Bala

... Petitioner/Accused

-Vs-

1. The Union Territory of Puducherry,
Represented by,
The Station House Officer,
Reddiyarpalayam Police Station,
Puducherry.
Crime No.2 of 2022.

... Respondent/De-Jure
Complainant

2. John Andrew Mecfarlane

... Respondents/Defacto
Complainant

PRAYER:-

Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, praying to call for the records relating to impugned FIR No.2 of 2022 dated 11.01.2022 on the file of the 1st respondent namely the Station House Officer, Reddiyarpalayam Police Station, Puducherry and quash the same.

For Petitioner : Mr.E.Anbarasan

For Respondents : Mr.Balamurugane
Public Prosecutor (Pondy)
For R1

No Appearance
For R2



O R D E R

This Criminal Original Petition has been filed to call for the records relating to impugned FIR No.2 of 2022 dated 11.01.2022 on the file of the 1st respondent namely the Station House Officer, Reddiyarpalayam Police Station, Puducherry.

2. The learned counsel for the petitioner would submit that a case in Crime No.2 of 2022 was registered by the respondent for the offences under Section 406 and 420 of IPC. The petitioner had also issued a cheque for a sum of Rs.8 lakhs. Now, due to the intervention of well-wishers known to both parties they have decided to withdraw the criminal complaint as well as the private complaint pending in STC.No.1428 of 2021 on the file of the learned Judicial Magistrate - III, Pondicherry and he would also submit that the offences alleged against the petitioner are compoundable in nature and he would submit that the petitioner and the defacto complainant had filed a Joint Compromise Memo dated 09.02.2022 before the learned Judicial Magistrate - III, Pondicherry.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent and perused the materials available on record.

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 Gujarat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No. 2 of 2022.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No. 2 of 2022, on the file of the first respondent police, is quashed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

jas/tsh



To

1. The Station House Officer,
Reddiyarpalayam Police Station,
Puducherry.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.E.Anbarasan, Advocate, S.R.No.19218

CRL.O.P.NO.6365 OF 2022 AND
CRL.M.P.NO.3565 OF 2022

SKM(CO)
PBS/08/04/2022