



Crl. O.P. No. 6099 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 5/7/2022

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No.6099 of 2022

a n d

Crl.M.P.No.3399 of 2022

1. Premnath
2. Ramki @ Iyyappan
3. Arumugam

... Petitioners

Vs

1. The State
rep. By The Inspector of Police
Maraimalai Nagar Police Station
Chengalpattu.

2. Sathish Kumar

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records relating to Crime No.735 of 2017 on the file of the respondent Police and quash the same.



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For Petitioner	...	Mr.Charles Muthushanthan
For respondents	...	Mr.Leonard Arul Joseph Selvam Government Advocate (Criminal Side) for R.1
		Mr.G. Vasanthakumar for R.2.

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ORDER

This Criminal Original Petition has been filed to quash Crime No.735 of 2017, pending on the file of the respondent Police, for the offences punishable under Sections 294 (b), 324 and 506 (ii) of the Indian Penal Code.

2. The allegation in the First Information Report is that on the death procession of Suresh, the petitioners and defacto complainant had assaulted each other and the alleged occurrence had said to have taken place in Kollaimesu Colony, Maraimalai Nagar, on 18/9/2017. As a result of which, a case was registered, on 19/9/2017, in Crime No.735 of 2017, for the offences punishable under Sections 294 (b), 324 and 506 (ii) of the Indian Penal Code.



3. Heard Mr.D.Charles Muthushanthan, learned counsel for the petitioner, Mr.Leonard Arul Joseph Selvam, learned Government Advocate (Criminal Side) for the first respondent and Mr.G.Vasanthakumar, learned counsel for the second respondent.

4. Today when the matter is taken up for hearing, petitioners and defacto complainant were present with their respective counsel. Mr.P.Mariappan, SSI, T 9 Maraimalai Police Station, Tambaram District, is also present. Parties had filed a joint compromise memo, dated 22/6/2022 entered into between the parties and an affidavit, dated 22/6/2022, filed by the second respondent.

5. On enquiry, the petitioners and defacto complainant submitted that they have amicably settled the matter, outside the Court and prays this Court to quash F.I.R.No.735 of 2017, pending on the file of the first respondent.

6. A perusal of the affidavit and joint compromise memo would indicate that both the petitioners and defacto complainant are blood relatives. With the help of elders and well wishers, both the parties have settled the issues amicably.



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7. Keeping in view the facts and circumstances of the case, as the matter has been settled between the parties, this Court is inclined to quash all the proceedings emanating from F.I.R.No.735 of 2017, pending on the file of the Inspector of Police, Maraimalai Nagar Police Station, Chengalpattu, first respondent.

8. Accordingly, this Criminal Original Petition is allowed and F.I.R.No.735 of 2017, pending on the file of the Inspector of Police, Maraimalai Nagar Police Station, Chengalpattu, first respondent is quashed. Joint Memo of Compromise and affidavit of the defacto complainant, dated 22/6/2022 shall form part of the records. Consequently, the connected Miscellaneous Petitions are closed.

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Index : Yes / No

Internet: Yes

Speaking/non speaking order

mvs.

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To

1. The Inspector of Police
Maraimalai Nagar Police Station
Chengalpattu.
2. The Public Prosecutor
Madras High Court.



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