



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.9204 OF 2022

1. K.Dhachanamoorthy
2. P.Arumugam
3. A.Devendiran
4. T.Sulochana
5. A.Lakshmi
6. P.Dhatchayani
7. P.Ramamoorthy
8. R.Danusu
9. A.Sekar
10. D.Mahalakshmi
11. E.Perumal

... Petitioners/Accused

-Vs-

1. State rep. by,
The Inspector of Police,
Chitamur Police Station,
Chengalpattu.
(Crime No.57 of 2022)

2. Mannakatti

... Respondents/
Complainant & Defacto Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, praying to call for the records in Crime No.57 of 2022 on the file of the first respondent and quash the same.

For Petitioners	:	Mr.K.Thenrajan
For Respondents	:	Mr.A.Gokulakrishnan Additional Public Prosecutor for R1

O R D E R

This Criminal Original Petition has been filed to call for the records in Crime No.57 of 2022, on the file of the first respondent.



2. The case is under trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. The petitioners and the second respondent were present in person before this Court and they were identified by the respondent Police and by the learned counsel for the petitioners. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The second respondent has filed an affidavit to that effect. The relevant portion of the affidavit filed by the second respondent is extracted hereunder:

"2. I state that the case of the prosecution was that on 06.03.2022, my grandson while grassing cattle, the 1st petitioner alleged to abuse and assault him by using hands and slipper and on continuation on 07.03.2022 at about 11 a.m., the petitioners alleged to trespass into my house and assaulted my family members with iron rod and wooden log and also abused my family members with filthy language and further they threatened that they will do away the life me. Hence the above case.

3. I state that based on the complaint given by me the first respondent registered a case in crime No.57 of 2022 for the offences under Sections 147, 148, 294 (b), 323, 324, 506(1) of IPC. Further based on the complaint given by the second petitioner, the 1st respondent registered a case in Crime No.56 of 2022 for the offences under Section 147, 148, 294(b), 323, 324, 506(1) of I.P.C and section 4 of Women Harassment Act, 2002.

4. I submit that admittedly my family and the petitioners family are belonged to same locality, pursuant to a mediation by the elders of the village a compromise was arrived between my family and the petitioner's family and thereby we decided to settle our dispute in an amicable way and thereby I undertake to withdraw the above case in Crime No.57/2022 for the offences under Section 147, 148, 294(b), 323, 324, 506 (1) of IPC as against the petitioners.

5. I submit that pursuant to the above compromise, I undertake to file a supporting affidavit to quash the above case and thereby I am filing this affidavit with full conscious and on my own will.

6. I submit that i will be greatly prejudiced if the case in Crime No.57 of 2022 on the file of the first respondent is not quashed."



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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the proceedings in Crime.No.57 of 2022.

5. Accordingly, this Criminal Original Petition is allowed and as a sequel, the proceedings in Crime.No.57 of 2022 on the file of the respondent police, is quashed and the affidavit filed by the second respondent shall form part and parcel of this order.

* Herein Enclosed the Xerox Copy of the Affidavit filed by the Second Respondent.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

gsk

To

1. The Inspector of Police
Chitamur Police Station
Chengalpattu
(Crime No.57 of 2022)
2. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.9204 of 2022

AJS (CO)
RLP (20/05/2022)