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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Cr1.O.P.No.14088 of 2022

1.Kattapillai @ Yoganathan
2.Pradap
3.V.Kesavan
4.Senthilkumar
5.Jagir Hussai

...Petitioners

Vs.

1.The State Rep. by
The Inspector of Police,
Koothanallur Police Station,
Thiruvarur District.
[Crime No.442 of 2011]

2.M.Abdul Kasim

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in S.C.No.73 of 2019 pending on the file of the learned District and Sessions Court, Thiruvarur and to quash the same in view of the compromise entered into both the parties.

For Petitioners : Mr.P.Muthamizh Selvakumar

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor - R1

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in S.C.No.73 of 2019 pending on the file of the learned District and Sessions Court, Thiruvarur for the offences under sections 147, 148, 294[b], 342, 324, 307 read with 149 of IPC.

2. As the parties have decided to compromise the dispute amicably among themselves, they have filed the present petition to quash the proceedings in view of the compromise entered between the parties.



3. The petitioners and the second respondent are present before this Court and they were identified by Mr.V.Saravanan, Special Sub Inspector of Police, Koothanallur Police Station, Thiruvavarur Distirct, who is also present at the time of hearing. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and it is made part of the record. In the petition it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.442 of 2011. 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 Gujrath), 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 Cr1 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. is inclined to quash the case in S.C.No.73 of 2019 on the file of the learned District and Sessions Judge, Thiruvavarur.

5. According, this Criminal Original Petition stands allowed and the proceedings in S.C.No.73 of 2019 on the file of the learned District and Sessions Judge, Thiruvavarur is quashed.

Sd/-
Assistant Registrar(CS-V)

// True Copy //

Sub Assistant Registrar

vrc

To

1.The District and Sessions Judge,
Thiruvavarur.

2.The Inspector of Police,
Koothanallur Police Station,
Thiruvavarur District.



3.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.P.Muthamizh Selvakumar, Advocate Sr.No.38050

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GSM(CO)
RVM(30/06/2022)