



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.16802 of 2021 and
Crl.M.P.No.9181 of 2021

1.Gopi
2.Vijayalakshmi
3.Perumal
4.Pragannayaki ... Petitioners/Accused 1 to 4

Vs.

1.State by
Inspector of Police,
Triplicane Police Station,
Chennai.
Crime No.266 of 2018. ...1st Respondent/Complainant

2.Vijaya ...2nd Respondent/De-facto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in FIR registered Crime No.266 of 2018 dated 25.04.2018 pending investigation on the file of the first respondent and quash the same against the petitioners.

For Petitioners :Mr.J.N.Naresh Kumar

For Respondent No.1 :Mr.E.Raj Thilak
Additional Public Prosecutor.

For Respondent No.2 :Mr.P.Pugalenth

ORDER

This Criminal Original Petition has been filed to call for the records in FIR registered in Crime No.266 of 2018, dated 25.04.2018, pending investigation on the file of the first respondent and quash the same against the petitioners.



2.The case of the prosecution is that the defacto complainant and her brothers are living together and their father sold a property at Tambaram and made deposit in FD. After the death of their father, their relatives, who are the petitioners herein, as if they are giving support, threatened the defacto complainant to transfer Rs.20,00,000/- in A3/Perumal's account, due to the threat, they had transfer the said amount and again an amount of Rs.17,00,000/- was taken by the petitioners. The petitioners had detained them in a house at Mogappair demanding Rs.30,00,000/- and also took their land documents and six sovereign jewels. On 13.03.2018, the petitioners attacked the defacto complainant and her brothers and tried to take with them, however, the public rescued and handed over them to their relatives. On the complaint of the defacto complainant, FIR was registered in Crime No.266 of 2018, on 25.04.2018, for offences under Sections 347, 386, 294(b), 323, 324, 406, 420, 560 (2) and 34 IPC.

3.The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4.A Memorandum of Compromises dated 27.08.2018 and 24.11.2018 have been filed stating the issue has been resolved between the parties on the intervention of their relatives and both the parties enter into compromise without any force, compulsion or undue influence. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5.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., quashes the First Information Report in Crime No.266 of 2018, on the file of the 1st respondent Police.



6.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.266 of 2018, on the file of the 1st respondent police, is quashed. Consequently, the connected Miscellaneous Petition is closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

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To

1.The Inspector of Police,
Triplicane Police Station,
Chennai.
Crime No.266 of 2018.

2.The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.16802 of 2021

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