



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2022

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.20978 OF 2021

1. Lakshmi
2. Lakshmanan
3. Sathyamoorthy
4. Ranjith
5. Sakthivel
6. Vijay Murali

...Petitioners

Versus

1. State Rep. by
The Inspector of Police,
C-2, Periyapalayam Police Station,
Thiruvallur District.

2. Poomani

...Respondents

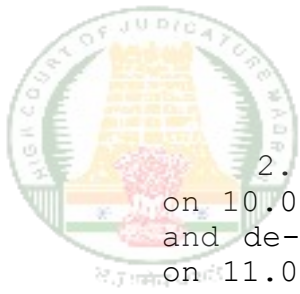
Prayer: This Criminal Original Petition filed under Section 482 of Criminal Procedure Code, 1973 praying to call for the records in connection with the F.I.R. No.280 of 2016 on the file of Inspector of Police, C-2, Periyapalayam Police Station, Periyapalayam, Thiruvallur District and quash the same.

For Petitioners : Mr.V.Jayachandran

For Respondent-1 : Mr.E.Raj Thilak
Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed to call for the entire records in Crime No.280 of 2016 on the file of the first respondent police and quash the FIR against the petitioners.



2. The case of the prosecution is that due to land dispute, on 10.07.2016, there was a wordy quarrel between the petitioners and de-facto complainant's mother. Based on the said incident, on 11.07.2016, the petitioners attacked the defacto complainant with knife. Hence, the de-facto complainant filed a complaint against the petitioners and FIR was registered in Crime No.280 of 2016 for the offences under Sections 448 and 307 of IPC.

3. The learned counsel for the petitioners submitted that the petitioners are law abiding persons and they have not committed any offence as alleged in the Charge Sheet. The petitioners and the de-facto complainant are close relatives and there was previous enmity between them regarding land dispute. The FIR was lodged against the petitioners only in a fit of anger. Now, after the intervention of respectable known persons, both the parties have come to a compromise. Hence, the petitioners have filed this petition to quash the FIR in Crime No.280 of 2016.

4. The case is still at the stage of investigation. By passage of time, the parties have decided to compromise the dispute amicably among themselves.

5. A Joint Memo of Compromise dated 21.01.2022 has been filed before this Court which have been signed by the petitioners and the 2nd respondent and also by their respective counsel. In the Joint Memo of compromise it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.280 of 2016. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending. Even though, the offence involved is 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., inclined to quash the First Information Report in Crime No.280 of 2016.

7. In the result, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.280 of 2016, on the file of the 1st respondent police, is quashed and



the terms of joint memo of compromise shall form part and parcel of this order.

*Herein Enclosed the Xerox Copy of the Joint Memo of Compromise dated 21.01.2022.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

srn/mp

To

1. The Inspector of Police,
C-2, Periyapalayam Police Station,
Thiruvallur District.
2. The Public Prosecutor
High Court, Madras.

+1cc to M/s.V.Jayachandran, Advocate, S.R.No.4984

Crl.O.P.No.20978 of 2021

KSM(CO)
RLP(07/02/2022)