



Crl.O.P No. 28807 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2022

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P No.28807 of 2022

1.Ponnusamy

2.Nataraj

3.Balaji

...

Petitioners/Accused

Vs.

1. State represented by

The Inspector of Police,

T2 Ambattur Estate Police Station,

Ambattur, Chennai 600 053.

(Crime NO.538/2020)

...

1st respondent / complainant

2. Sankar

...

2nd Respondent/

Defacto complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records in FIR in Crime No. 538 of 2020 dated 30.06.2020 pending on the file of the 1st respondent police and quash the same.

For Petitioners : Mr.K.Shanmugam

For Respondent-1 : Mr. S.Santhosh
Government Advocate (crl.side)

For Respondent-2 : Mr.S.Kishore Kumar



ORDER

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This Criminal Original Petition has been filed to call for the records in FIR No.538 of 2020 dated 30.06.2020 pending on the file of the first respondent police and quash the same.

2. The *defacto* complainant was working as a Mixing Mill Machine Operator in the petitioners' industry by name 'MIL Industries Limited'. Due to sudden accident that had happened in the industry, the *defacto* complainant got injured and for which, he needed to suffer an amputation in his left leg below the ankle.

3. The *defacto* complainant and the petitioners are present today and agreed that they have settled the dispute. The petitioners and the *defacto* complainant were identified by Mr.K.Chandrasekar, Sub Inspector of Police, T-2, Ambattur Estate Police Station.

4. When the matter is taken up today, the *defacto* complainant had stated that he does not want to pursue the matter once again, since he has been adequately compensated and his treatment expenses were borne by the petitioners' industry. Further, it is learnt that the petitioners have assured to provide job to the *defacto* complainant suiting to his health condition and that



he can join duty any time as he wishes. The *defacto* complainant is also willing to join duty from 28.11.2022.

5. Considering the above facts and the accident that had taken place beyond the control of anyone. I feel the matter can be allowed to be settled. In 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. is inclined to quash the First Information Report in Crime No.538 of 2020.

This Criminal Original Petition stands **allowed** and as a sequel, the proceedings in Crime No.538 of 2020, on the file of the Inspector of Police, T2- Ambattur Estate Police Station, Ambattur, Chennai is quashed.

24.11.2022

Index : Yes/No
Speaking Order : Yes / No
jrs



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R.N.MANJULA, J.,

jrs

To:

1. The Inspector of Police,
T2 Ambattur Estate Police Station,
Ambattur, Chennai 600 053.
2. The Public Prosecutor,
Madras High Court.

CrI.O.P No.28807 of 2022

24.11.2022