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CrI.O.P.No.3597 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:10.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.CHANDRASEKHARAN**

CrI.O.P.No.3597 of 2023

1.S.Mani

2.K.Ravikumar

3.M.Paranjothi

4.M.Vaithiyalingam

5.P.Baskar

...

Petitioners

Vs.

1. State Represented by
The Inspector of Police,
Perundurai Police Station,
Erode District
Crime No.715 of 2022

2. A.Aravinth

...

Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records culminating Crime No.715 of 2022 pending on the file of the Perundurai Police Station, Erode District, quash the same.



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Crl.O.P.No.3597 of 2023

For Petitioner : Mr. S.Bharanidharan

For Respondent : Mr.S.Santhosh
No.1 Government Advocate (Crl. Side)

For Respondent : M/s.A.P.Balaji
No.2

ORDER

This Criminal Original Petition is filed to call for the records culminating Crime No.715 of 2022 pending on the file of the Perundurai Police Station, Erode District, quash the same.

2. A case was registered as against the petitioners in Crime No.715 of 2022 under “Man Missing” for the allegations of Kidnapping and Criminal Intimidation in connection with money transactions. Subsequently, FIR was altered under Sections 364(A), 368, 506(i) read with 109 of IPC and Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act.

3. When the matter is taken up for hearing, petitioners and second respondent/defacto complainant are present in person before this Court and they were identified by **Mr.Ravikumar, Special Sub-Inspector of Police,**



Crl.O.P.No.3597 of 2023

Perundurai Police Station. When enquired the second respondent/defacto complainant reiterated that the issue between petitioner and second respondent/defacto complainant has been resolved and that second respondent/defacto complainant does not want to proceed further with the case against the petitioners and has no objection for quashing the FIR in Crime No.715 of 2022.

4.Considering the facts that the parties have amicably settled the issue between them, second respondent/defacto complainant does not want to prosecute the case against petitioners and that he has no objection for quashment of proceedings, no useful purpose will be served in keeping the First Information Report pending.

5.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 First Information Report in Crime No.715 of 2022.



Crl.O.P.No.3597 of 2023

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.715 of 2022, on the file of the first respondent police is quashed and the terms of joint compromise memo on the file of the first respondent police is quashed and the terms of joint compromise memo of the parties and the consent affidavit filed by the second respondent/defacto complainant shall form part and parcel of this order shall form part and parcel of this order.

10.03.2023

sma

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

To:

1. The Inspector of Police,
Perundurai Police Station,
Erode District

2. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.3597 of 2023

G.CHANDRASEKHARAN, J.
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Crl.O.P. No.3597 of 2023

10.03.2023