



WEB COPY



Crl.O.P.No.13797 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2023

CORAM

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

Crl.O.P.No.13797 of 2023
and Crl.M.P.No.8475 of 2023

1.Thavaselvam (minor)
represented by his mother / natural guardian
Sathiyavathi

2.Vasanth

... Petitioners

Vs.

1.The State represented by
The Inspector of Police,
Komaralingam Police Station,
Tiruppur District.
Cr.No.61 of 2023

2.Yuvaraj

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C.,
to call for the records pertaining to First Information Report registered as
Cr.No.61 of 2023 on the file of the 1st respondent and quash the same.

For Petitioners : Mr.S.Sivakumar
For Respondents : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)
for R1
Mr.K.Anbu
for R2



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ORDER

This Criminal Original Petition has been filed to call for the records pertaining to the case in Crime No.61 of 2023 on the file of the 1st respondent against the petitioners.

2. The First Information Report allegations show that, the defacto complainant was working as a daily wage labourer in Sivadharasani Paper Mills, situated near Koluman. On 09.04.2023, at about 10.00 p.m., when he was working, one Yuvaraj / accused had abused the defacto complainant in filthy language and also assaulted him. Therefore, on the basis of the complaint given by the 2nd respondent, First Information Report in Crime No. 61 of 2023 under Sections 294(b), 323, 324, 506(ii) IPC, by the 1st respondent police was registered.

3.The learned Government Advocate (Crl.Side) submitted that, by passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.



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4. A Joint Memo of Compromise dated 24.06.2023 has been filed before this Court, which have been signed by the petitioners and the second respondent and also by the learned counsel for the parties.

5. This Court also enquired both the parties and is satisfied that the parties have come to an amicable settlement between themselves. The second respondent answered this Court, that he had entered into a Memorandum of compromise with the petitioners and he has no objection for quashing the First Information Report in Crime No.61 of 2023, on the file of the 1st respondent police.

6. Considering the fact that, the second respondent does not want to prosecute the case against the petitioners and that he has no objection for quashment of proceedings, no useful purpose will be served in keeping the First Information Report in Crime No.61 of 2023, on the file of the 1st respondent police against the petitioners.

7. 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**



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Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C.,
quashes the First Information Report in Crime No.61 of 2023, on the file of
the 1st respondent police against the petitioners.

8.Accordingly, this Criminal Original Petition stands allowed and as a
sequel, the First Information Report in Crime No.61 of 2023, on the file of the
1st respondent police against the petitioners is quashed and the terms of joint
compromise memo shall form part and parcel of this order. Consequently, the
connected miscellaneous petition is closed.

30.06.2023
(1/2)

Index:Yes/No
Speaking/Non speaking order
Anu

To

- 1.The Inspector of Police,
Komaralingam Police Station,
Tiruppur District.
- 2.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN.J.,

Anu

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30.06.2023