



Crl.O.P.No.20570 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2023

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.20570 of 2020

P.Ravi Pachamuthoo

... Petitioner

Vs.

1.The State of Tamilnadu
Rep. by the Inspector of Police,
City Crime Branch- 1
Egmore,
Chennai

2.Daisy Rani

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code to call for the records in FIR Crime No.72/2016 on the file of the 1st respondent police and quash the same.

For Petitioner : M/s.K.Suresh Babu for M.Sena Prasad

For Respondent : Mr.A.Damodaran, Addl. Public Prosecutor [R.1]
: M/s.K.Venkateswaran [R.2]



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ORDER

The petition is to quash the FIR for the alleged offences under Sections 147, 148, 427 & 506(i) IPC.

2. It is alleged in the FIR that the accused named therein had trespassed in the property belonging to the respondent/de facto complainant and demolished the compound wall by using a JCB machine and thus they had committed the aforesaid offences.

3. The learned counsel for the petitioner submitted that the parties had arrived at compromise and the respondent/de facto complainant had entered into a memorandum of understanding with one M/s.SRM Transports represented by Mr.P.Ravi Pachamuthu, the petitioner herein. In the said memorandum of understanding, it is recorded that the grievances of the respondents have been addressed and the respondents agrees to withdraw all the allegations in the impugned FIR. This Court had also recorded the compromise in the order dated 29.10.2021 which reads as follows:-

"In Crl.O.P.No.s20468 and 20570 of 2020, the petitioners and the de facto complainants are present. The de facto complainant have filed affidavits stating that the



property has been restored back to them and they have no grievance against the petitioners. They have legally compounded the offence and the compromise is not by any force or any other means and they voluntarily compromised."

4. The learned Additional Public Prosecutor and the learned counsel for the de facto complainant also confirmed the fact that the parties had entered into a compromise. However, the apprehension of the the learned counsel for the de facto is that in future the petitioner or others should not create trouble.

5. This Court is of the view that in view of the compromise arrived at between the parties and the dispute being private in nature, no useful purpose would be served in continuing the investigation in the impugned FIR. Hence, the impugned FIR is quashed.

6. However, it is also made clear that if the 2nd respondent faces any disturbance to her possession, it is open to her to take appropriate action in the manner known to law.



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7. In view of the above, this Criminal Original Petition is allowed.

26.06.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
shr

To,

The Inspector of Police,
City Crime Branch- 1
Egmore, Chennai.



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SUNDER MOHAN. J,

shr

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