



Crl.O.P.No.21861 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.21861 of 2023

1. S.Mathavan
2. Muthurakku @ Muthu .. Petitioners

Versus

1. The Inspector of Police,
Kelampakkam Police Station,
Kancheepuram District.
(Crime No.101 of 2018)
2. Sankaralingam .. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating the case in Crime No.101 of 2018 on the file of the 1st respondent herein and quash the same.

For Petitioners : Mr.S.R.Rajagopal, Senior Counsel
for Mr.T.Palanisamy

For Respondents : Mr.A.Gopinath,
Government Advocate (Crl. Side)
for R1



Crl.O.P.No.21861 of 2023

WEB COPY

4. Under 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)**, and after exercising due caution as advised by the Hon'ble Supreme Court in **The State of Madhya Pradesh Vs. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Crl 10**, this Court in exercise of its jurisdiction under Section 482 of Cr.P.C., quashes the First Information Report in Crime No.101 of 2018, on the file of the first respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.101 of 2018, on the file of the first respondent Police, is quashed and the terms of affidavit of the second respondent / de-facto complainant shall form part and parcel of this order. The petitioners shall pay a sum of Rs.1500/- (Rupees One thousand five hundred only) each as costs, to the credit of the **Chairman, Advocate Clerks Association, Tirupattur, Vellore District (Indian Bank, Kacheri Street Branch,**



Crl.O.P.No.21861 of 2023

WEB COPY

Tiruppattur A/c No.485403938, IFSC Code:IDIB00T039), within a period of two weeks from today and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

6. Post this case under the caption "For Reporting Compliance" on 10.10.2023.

25.09.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

Note : Issue order copy on 27.09.2023.

To

1. The Inspector of Police,
Kelampakkam Police Station,
Kancheepuram District.
2. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.21861 of 2023

N.ANAND VENKATESH, J.

grs

Crl.O.P.No.21861 of 2023

25.09.2023