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Crl.O.P.No.30310 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.30310 of 2022

S.Nirmalraj ... Petitioner

Vs.

1.State by its
Inspector of Police,
Teynampet Police Station,
Teynampet, Chennai.
Crime No.208/2019.

2.Antony Prince ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records relating to the case in Crime No.208 of 2019 pending investigation on the file of the 1st respondent and quash the same.

For Petitioner : Mr. K.G.Senthilkumar

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

For Respondent : M/s.A.S.Aswinprasanna
No.2



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ORDER

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2.The allegations against the petitioner is that the petitioner, who was working as a Sales Executive in Prince Gold and Diamonds India Private Limited, T.Nagar, Chennai, had stolen jewellery, more particularly, uncut diamonds (polki) to the value of nearly Rs.1.50 crores. Therefore, a case was registered against the petitioner in Crime No.208 of 2019, for the offences under Section 381 IPC, by the Teynampet Police Station.

3.It is submitted by the learned counsel appearing for the parties that both second respondent/defacto complainant and petitioner have reached a compromise for the reason that the stolen jewels had been recovered from the petitioner. The second respondent/defacto complainant does not want to proceed the case and has no objection for quashing the complaint. He has also filed a letter of authorization given to him by the Prince Gold and Diamonds India Private Limited, T.Nagar, Chennai, authorizing him to enter into a



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compromise with the petitioner herein.

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4.Both petitioner and second respondent/defacto complainant are present in person before this Court and they were identified by Ms.V.Nagammal WSSI 16620, E3 Teynampet, Chennai – 18. 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 petitioner and has no objection for quashing the FIR in Crime No.208 of 2019.

5.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 petitioner and that he has no objection for quashment of proceedings, no useful purpose will be served in keeping the First Information Report pending.

6.In the light of the guidelines given by the Hon'ble Supreme Court



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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.208 of 2019.

7.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.208 of 2019, on the file of the first respondent police is quashed and the terms of joint compromise memo shall form part and parcel of this order.

14.02.2023

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Internet:Yes

Index:Yes/No

Speaking/Non speaking order

To:

1.The Inspector of Police,
Teynampet Police Station,
Teynampet, Chennai.
Crime No.208/2019.

2.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN, J.
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