



WEB COPY



CrI.OP.No.6096 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.6096 of 2024

and

CrI.M.P.No.4451 of 2024

Dr.N.R.Thangavel,
S/o.Ramasamy

... Petitioner

Vs.

1. The State Rep. by,
Inspector of Police,
Sathyamangalam Police Station,
Erode District.
Crime No.493/2023

2. Vasanthakumar,
S/o.Annadurai

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the First Information Report in Crime No.493/2023 on the file of the first respondent and quash the same.

For Petitioner : Mr.J.Titus Enock

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]



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ORDER

This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.493 of 2023 pending investigation on the file of first respondent.

2. Heard Mr.J.Titus Enock, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for first respondent.

3. The second respondent gave a complaint before the first respondent to the effect that on 08.09.2023, the second respondent was engaged in construction work. He was doing the centering work in the building where one Sathish was the Engineer (A1), who was given the contract work. This building belongs to the petitioner. All of a sudden, the second respondent fell down and sustained grievous injuries. The second respondent was promised that the medical expenses will be borne by the accused persons and believing the same, no complaint was given by the second respondent initially. However, none of the accused person came forward to bear the medical expenses. Therefore, the complaint was



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given, which was registered as Crime No.493 of 2023 on 04.10.2023 by the first respondent. There are totally three accused persons in this case and the petitioner has been arrayed as A3 since he was the owner of the property.

4. When the matter came up for hearing on 13.03.2024, this Court passed the following order:

"Considering the nature of allegations made in the First Information Report, this Court is inclined to quash the First Information Report provided the petitioner pays a sum of Rs.25,000/- [Rupees Twenty Five Thousand only] to the second respondent towards the injuries sustained by him and the treatment undergone. The petitioner shall appear before the first respondent police on 20.03.2024 with the money and the first respondent shall call the second respondent and the money shall be handed over to the second respondent. Once the same is reported before this Court, this Court will quash the FIR.

Post this case under the same caption on 25.03.2024."

5. Pursuant to the above order, the matter was listed for hearing today and it was brought to the notice of this Court that the petitioner had paid a sum of Rs.25,000/- by way of demand draft. The demand draft bearing No.019425 dated 16.03.2024 for a sum of Rs.25,000/- was placed before this Court.



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6. The petitioner had admittedly given the contract work and the contractor had engaged the services of the second respondent. Therefore, strictly speaking, the petitioner cannot be made liable to undergo a criminal prosecution for offence u/s.337 IPC. However, the petitioner has taken moral responsibility and had paid a sum of Rs.25,000/- to the second respondent. Taking into consideration the aforesaid position, this Court is inclined to quash the First Information Report insofar as the petitioner is concerned.

In the light of the above discussion, this Criminal Original Petition is allowed and the First Information Report in Crime No.493 of 2023 on the file of first respondent is quashed insofar as the petitioner herein is concerned. Consequently, connected miscellaneous petition is closed.

25.03.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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WEB COPY To

- 1.The Inspector of Police,
Sathyamangalam Police Station,
Erode District,
Crime No.493/2023.
2. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J.

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