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Criminal Original Petition No.6601 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.6601 of 2024

and

Crl.M.P.No.4851 of 2024

U.Suganthan
S/o.Udayakumar

... Petitioner

Vs.

1.The State represented by
Inspector of Police,
Manalmedu Police Station,
Mayiladuthurai District.
Crime No.511 of 2023

2.G.Baskar
S/o.Ganesan

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records and to quash the impugned FIR in Crime No.511 of 2023 for alleged offence under Section 306 IPC on the file of first respondent, dated 07.12.2023.

For Petitioner : Mr.V.Balasubramani

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

ORDER



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This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.511 of 2023 pending on the file of first respondent.

2. The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. The second respondent was present in person before this Court and he was identified by Mr.K.Vasu, HC 788, Manalmedu Police Station, Mayiladuthurai District. He stated that his wife had borrowed loan from L&T Finance Ltd. On 06.12.2023, the petitioner, who is the agent of the company, had come to the house for recovering the loan. On the same day evening, the wife of the second respondent had committed suicide by hanging. The complaint was given by him against the petitioner only based on the advice given by neighbours. According to the second respondent, the reason for his wife committing suicide is something else and it is not connected with the action for recovery done by the petitioner. He stated that the complaint itself was given under a wrong impression



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and therefore, he is not interested in prosecuting this case.

4. Under such circumstances, no useful purpose will be served in keeping the case 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 v. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.511 of 2023 pending on the file of first respondent.

5. This Criminal Original Petition stands allowed and as a sequel, the First Information Report in Crime No.511 of 2023 pending on the file of first respondent, is quashed. The petitioner shall pay a sum of Rs.2,500/- (Rupees Two Thousand and Five Hundred only) as costs, to the credit of the **President, Tamil Nadu Advocate's Clerk's Association,**

N.ANAND VENKATESH, J.



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High Court Buildings, Madras, A/c No.484026006 IFSC

Code:IDIB000M157), within a period of two (2) weeks from today and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

Post this case under the caption 'for reporting compliance' on 01.04.2024.

18.03.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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To

1.The Inspector of Police,
Manalmedu Police Station,
Mayiladuthurai District.
Crime No.511 of 2023

2.The Public Prosecutor,
High Court, Madras.

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