



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P[MD]No.17445 of 2017

and

CrI.M.P (MD)No.11451 of 2017

Arumugam : Petitioner/Accused No.1
Vs.

1.The State
represented by
The Inspector of Police,
Valliyoore Police Station,
Tirunelveli. : 1st Respondent/Complainant

2.Irudayanathan : 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records relating to the FIR in Crime No.409 of 2017 on the file of the 1st respondent and to quash the same insofar as petitioner is concerned.

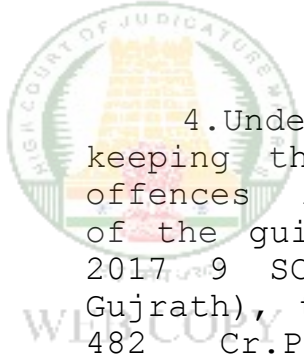
For Petitioner : Mr.M.S.Jeyakarthik
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate [CrI. side]
For R-2 : Ms.N.Ramesh Arumugam

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.409 of 2017 on the file of the 1st respondent and to quash the same insofar as petitioner is concerned for the offences under Sections 3 and 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003.

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

3.A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsel. The parties were also present before the Court and they were identified by Mr.C.Murugan, Special Sub Inspector of Police and they have also produced the copies of the Aadhaar Card which are made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.409 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the First Information Report in Crime No.409 of 2017, on the file of the first respondent police, is quashed insofar as this petitioner is concerned and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.2,000/- [Rupees Two Thousand only] as costs, to the credit of "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, SBI, Periyakulam), within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Consequently, CrI.MP(MD)No.11451 of 2017 is closed.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar(CS-II)

Encl: Xerox copy of Joint Compromise Memo

To

1. The Inspector of Police,
Valliyoor Police Station,
Tirunelveli.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy To:

1. The District Siddha Medical Officer,
CCRI, Periyakulam.

2. The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai. **(2 Copies)**

+1CC to Mr.M.S.Jeyakarthik, Advocate, SR.No.93211

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29.10.2018

DSK

<https://hcservices.ecourts.gov.in/hcservices/>

ES/SKN/RSK/SAR 2/03.12.2018/2P/7C