



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD].No.12690 of 2018

- 1.Rajakili @ Syed Sulthan
- 2.Abdullah @ Koolu
- 3.Alifa Fathima
- 4.Ibrahim Fathima
- 5.Mavujila Rani

:Petitioners/Accused Nos. 1 to 5

Vs.

- 1.The State Represented by
The Inspector of Police,
All Women Police Station,
Melur, Madurai.
[Crime No.47 of 2016].

:1st Respondent/Complainant

- 2.Sujitha

:2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records of First Information Report in Crime No.47 of 2016 on the file of first respondent police station and quash the same as illegal.

For Petitioners :Mr.S.M.A.Jinnah

For R-1 : Mr.K.Suyambulinga Bharathi

Government Advocate [Criminal Side]

For R-2 : Mr.M.Kaushikan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.47 of 2016 on the file of the first respondent police station, for an alleged offences under Sections 498(A), 294(b), 506(i) of IPC and Section 4 of the Dowry Prohibition Act 1961.

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 petitioners and the second respondent and also by their respective counsel. In order to identify the respective parties they have also produced the copy of the Aadhaar Card which is 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.47 of 2016.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.47 of 2016 on the file of the first respondent police station, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.1,000/- as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), 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.

Sd/-

Assistant Registrar (P&A)

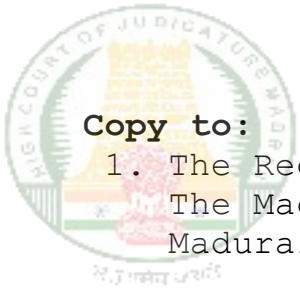
// True Copy //

Sub Assistant Registrar (CS-II)

Encl:Joint Compromise Memo enclosed alongwith this order.

To

1. The Inspector of Police,
All Women Police Station,
Melur, Madurai.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**Copy to:**

1. The Registrar (Judicial),
The Madurai Bench of Madras High Court,
Madurai.
2. The Section Officer,
Accounts Section,
The Madurai Bench of Madras High Court,
Madurai.
3. The Section Officer,
Criminal Section(Records),
The Madurai Bench of Madras High Court,
Madurai.(2 Copies)

+ 1 CC TO MR.S.M.AJINNAH, ADVOCATE IN SR NO.78080

SJI

BU/SKN/SAR-II : 28.09.2018 : 3P/8C

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