



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.(MD).No.13588 of 2018

WEB COPY

C.Ravishankar

... Petitioner / Accused No.2

Vs.

1. State Represented by
The Inspector of Police,
District Crime Branch,
District Police Office,
Subramaniyapuram,
Trichy District.
(Crime No.26 of 2015)

... 1st Respondent/Complainant

2.M.Gnanasekaran
3.L.Josephraj
4.T.Anandan
5.S.Sugendran
6.Gurunathan
7.D.S.Nathan
8.A.Chinnadurai

... 2 top 8 Respondents /
2 to 8 De-facto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the impugned FIR in Crime No.26 of 2015 on the file of the first respondent police and quash the same.

For Petitioner : Mr.K.Sivabalan
For R1 : Mr.M.Chandrasekaran
Additional Public Prosecutor
For R2 to R8 : Mr.T.Senthilkumar

O R D E R

This Criminal Original Petition has been filed to quash the First Information Report registered in Crime No.26 of 2015, for an alleged offences under Sections 406, 420, 294(b) and 506(i) IPC, on the file of the first respondent.

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 has been signed by the petitioner and the respondents 2 to 8 and also by their respective counsel. The petitioner and the respondents 2 to 8 were also present in person before this



Court and they were identified by Mr.Sekaran, SSI of Police. 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.26 of 2015 on the file of the first respondent police.

5. This Criminal Original Petition stands allowed and as a sequel, the First Information Report in Crime No.26 of 2015 on the file of the first respondent police, is quashed and the terms of Joint Memo of Compromise 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 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 (CS-II)

/True Copy/

Sub Assistant Registrar (CS-II)

Encl.:Xerox Copy of Compromise Memo
To

1. The Inspector of Police,
District Crime Branch,
District Police Office,
Subramaniamapuram,
Trichy District.

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

3. The Section Officer,
Account Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.T.Senthilkumar, Advocate SR.No.78479

+1cc to Mr.K.Sivabalan, Advocate SR.No.78619

Rmk

MK/SKN/SAR 2/03.09.2018/2P/6C