



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1OP[MD]No.20025 of 2018

WEB COPY

1.M.Sakthibalan
2.B.Murugesan
3.M.Jamuna
4.M.Sivabalan

: Petitioners

Vs.

1.The State represented by
The Inspector of Police,
All Women Police Station,
Uthamapalayam,
Theni District.
[Crime No.5 of 2018]

2.Ponmalar Sindhu

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the case in Crime No. 5 of 2018 on the file of the first respondent police and quash the same.

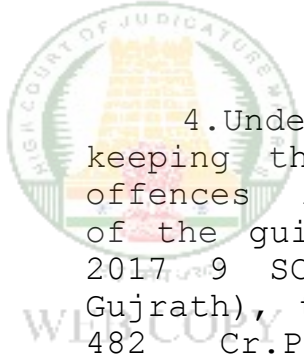
For Petitioners : Mr.R.Prasana
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate [Crl. side]
For R-2 : Mr.C.Jeganathan

ORDER

The Criminal Original Petition has been filed seeking to quash the FIR in Crime No.5 of 2018, pending on the file of the 1st respondent Police for the alleged offence under Sections 417, 498(A) and 420 of IPC and Section 4 of Dowry Prohibition Act.

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 the 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.5 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the First Information Report in Crime No.5 of 2018, 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.

Sd/-
Assistant Registrar(AD-I)

/True Copy/

Sub Assistant Registrar(CS-III)

Encl: Xerox copy of Joint Compromise Memo

To

1. The Inspector of Police,
All Women Police Station,
Uthamapalayam,
Theni District.

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

+1CC to Mr.C.Jeganathan, Advocate, SR.No.94409
+1CC to Mr.R.Prasana, Advocate, SR.No.94410

Cr1OP[MD]No.20025 of 2018
02.11.2018

DSK
ES/PM/SAR 3/04.12.2018/2P/5C