



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.[MD].No.20941 of 2018

Thangam @ Loorthu Anthony

... Petitioner/Sole Accused

vs.

The State rep by

1. The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
Crime No.8 of 2018

... 1st Respondent/Complainant

2. M.S.Sait @ Michel Anthony

... 2nd Respondent/ Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the FIR in Crime No.8 of 2018 on the file of the respondent police and quash the same as illegal.

For Petitioner : Mr.M.Prabu

For R1

: Mr.A.Robinson

Government Advocate (Crl.Side)

For R2

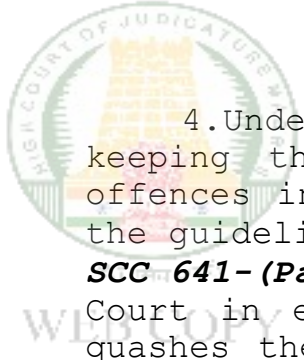
: Mr.Balakrishnan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.8 of 2018, on the file of the Inspector of Police, Mukkudal Police Station, Tirunelveli District, for the alleged offence under Sections 294(b), 324 and 506(ii) of IPC.

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.A joint memo of compromise has been filed before this Court, which has been signed by the petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by the Inspector of Police, Mukkudal Police Station, Tirunelveli District. 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.8 of 2018 on the file of the first respondent police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.8 of 2018, 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.5000/- (Rupees Five Thousand only) as costs, by way of a crossed cheque or by means of Demand Draft drawn in favour of the 'Chief Minister's Public Relief Fund' and hand it over to the Registrar(Judicial) of the Madurai Bench of Madras High Court, Madurai, 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 for reporting compliance in the Registry.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar(CS-III)

**Encl.: Xerox copy of Compromise Memo
To**

1. The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
2. The Registrar(Judicial),
Madurai Bench of Madras High Court,
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To:-

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

+ 1 CC TO Mr.M.PRABHU, ADVOCATE IN SR No. 97129