



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Cr1.O.P.[MD].No.15743 of 2018

WEB COPY

1.Hentryson
2.Durai Murugan
3.Murugan, S/o Karuppasamy,
4.Murugan, S/o Velu
5.Marimuthu : Petitioners / Accused

Vs.

1.The State rep. by
The Inspector of Police,
Thoothukudi North Police Station,
Thoothukudi, Thoothukudi District.
(Crime No.17 of 2018) : 1st Respondent/Complainant
2.Paula : 2nd Respondent/Defacto complainant
3.Francis Kumar : 3rd Respondent/Victim

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating the case in Crime No.17 of 2018 on the file of the 1st respondent herein and quash the same.

For Petitioner : Mr.N.Pragalathan
For Respondents : Mr.K.Suyambulinga Bharathi for R1
Government Advocate [Criminal Side]
Mr.K.Muthurakkan for R2

ORDER

The Criminal Original Petition has been filed to quash the F.I.R in Crime No.17 of 2018 on the file of the Inspector of Police, Thoothukudi North Police Station, Thoothukudi, Thoothukudi District, pursuant to the compromise arrived at by the parties.

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. The parties were also present before the Court and they were identified by Mr.Ramakrishnan, 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.17 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.17 of 2018, on the file of the Inspector of Police, Thoothukudi North Police Station, Thoothukudi, Thoothukudi District, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.500/- as costs, to the credit of the Rojavanam, Home for aged and poor, Account No.6481560540, Indian Bank, 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 reporting compliance in the Registry.

Sd/
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar (CS-I)

Encl:Xerox Copy of Joint Compromise Memo.
To

- 1.The Inspector of Police,
Thoothukudi North Police Station,
Thoothukudi, Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:
The Officer in Charge,
Home for Aged and Poor,
Melur Main road, Ulaganeri, Madurai.

+1cc to Mr.N.PRAGALATHAN, Advocate, SR.No.87333

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