



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Cr1.O.P.[MD].No.17795 of 2018

Aliyappa : Petitioner/Sole Accused

Vs.

1.State Respresented by Inspector of police,
Melapalayam Police Station,
Tirunelveli City, Tirunelveli.
(Crime No.305 of 2018) : 1st Respondent/Complainant

2.Sakitha Banu : 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the First Information Report in Crime No.305 of 2018 on the file of the Respondent No.1 and quash the same as illegal.

For Petitioners : Ms.K.Mahalakshmi
For Respondents : Mr.K.Suyambulinga Bharathi for R1
Government Advocate [Criminal Side]
Mr.M.Meeran Mytheen for R2

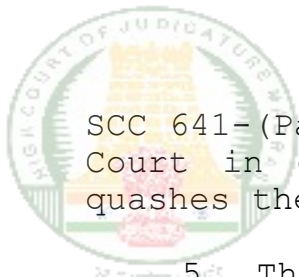
ORDER

The Criminal Original Petition has been filed to quash the F.I.R in Crime No.305 of 2018 on the file of the Inspector of Police, Melapalayam Police Station, Tirunelveli City, Tirunelveli 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 petitioner and the second respondent and also by their respective counsel. The parties were also present before the Court and they were identified by Mr.P.Killary, 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.305 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.305 of 2018, on the file of the Inspector of Police, Melapalayam Police Station, Tirunelveli City, Tirunelveli District, 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.750/- 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-III)

ENCL; XEROX COPY OF JOINT COMPROMISE MEMO
To

- 1.The Inspector of Police,
Melapalayam Police Station, Tirunelveli City,
Tirunelveli District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

COPY TO
The Section Officer, Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

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