



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.08.2018**

CORAM:

THE HONOURABLE MR.JUSTICE **N.ANAND VENKATESH**

Cr1.O.P. [MD] .No.14226 of 2018

WEB COPY

1.Muthulakshmi

2.M.Sankaran

3.Ariya Nayagam

: Petitioners/Accused No.1, 2 & 4
Vs.

1. The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.
[Crime No.939 of 2017]

: 1st Respondent/Complainant

2. Muthumala

: 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 Crime No.939 of 2017, on the file of the first respondent police and quash the same as against these petitioners.

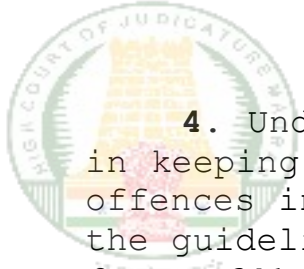
For Petitioners	: Mr.J.Senthil Kumaraiah
For R-1	: Mr.K.Suyambulinga Bharathi
	Government Advocate [Criminal Side]
For R-2	: Mr.V.Malaiyendran

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.939 of 2017, on the file of the first respondent police, for an alleged offences under Sections 341, 294 (b), 323, 506(i) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women 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 petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Ms.Subha, Head Constable 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.939 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.939 of 2017, 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. Each of the petitioners shall pay a sum of Rs.1,000/- 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(RTI)

/True Copy/

Sub Assistant Registrar(CS-I)

Encl: Xerox copy of Joint Compromise Memo
To

1. The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
3. The Section Officer, (2 copies)
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.
4. The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.J.Senthil Kumaraiah, Advocate Sr.No.78042

+1cc to Mr.V.Malaiyendran, Advocate Sr.No.78675

SJI

VB/KAK/SAR1/03.09.2018/3P/8C