



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.03.2019**

CORAM:

THE HONOURABLE **MR. JUSTICE N. SESHASAYEE**

Crl.O.P. [MD]No.3250 of 2019

WEB COPY

1.Ayyankalai @ Ayyanar
2.Rakku
3.Nallu @ Nallusamy
4.Pandeeswari
5.Kasthuri

: Petitioners / Accused Nos.1 to 5

Vs.

1.The Inspector of Police,
Melur Police Station, Melur,
Madurai District. : 1st Respondent / Complainant
(Crime No.658 of 2018)

2.Kallanai : 2nd Respondent / De facto complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in pertaining to the First Information Report in Crime No.658 of 2018, on the file of the first respondent Police and quash the same as illegal.

For Petitioners : Mr.T.Vadivelan
For R-1 : Mr.V.Neelakanden
Government Advocate [Crl.Side]

For R-2 : Mr.S.Karthick Subramanian

ORDER

The Criminal Original Petition has been filed to quash the F.I.R. in Crime No.658 of 2018, dated 21.10.2018 pending on the file of the respondent Police for the alleged offences under Sections 147, 148, 294(b), 323, 324 and 506 (ii) I.P.C. The offences are primarily private in nature.

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 Mr.S.Ramu, SSI, Melur. 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 proceedings 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 **Parbathbhai Aahir @ Parbathbhai Vs. State of Gujraath** [(2017) 9 SCC 641] and **The State of Madhya Pradesh Vs. Laxmi Narayan & Others** [CDJ 2019 SC 264] , this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the F.I.R. in Crime No.658 of 2018, dated 21.10.2018, pending on the file of the respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the F.I.R. in Crime No.658 of 2018, dated 21.10.2018 pending on the file of the respondent Police, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioners shall pay a sum of Rs.500/- as costs, to the credit of "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, IFSC Code.SBIN 0000898, M.I.C.R. Code.625002601, State Bank of India, Periyakulam), 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

/ True Copy /

Sub Assistant Registrar(CS)

Encl: Xerox copy of Joint Compromise Memo

To

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

Copy To:

1. The District Siddha Medical Officer,
CCRI, Periyakulam
2. The Section Officer,Criminal Section,
Madurai Bench of Madras High Court,Madurai. **(2 Copies)**

+1 CC to M/s.T.VADIVELAN, Advocate (SR-54414[F] dated 15/03/2019)

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