



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2019

CORAM:

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

Crl.O.P. [MD] No. 3525 of 2019

M. Syed Ali

: Petitioner / Accused No.2

Vs.

1. The State represented by the

The Inspector of Police,
District Crime Branch Police,
Dindigul District, Dindigul.
(Crime No.03 of 2018)

: 1st Respondent / Complainant

2. V. Kader

: 2nd Respondent / De facto
complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to quash the F.I.R. in Crime No.03 of 2019, dated 05.02.2019 pending on the file of the respondent Police.

For Petitioner : Mr. S. Saravagan Prabhu

For R-1 : Mr. V. Neelakanden

Government Advocate [Crl. Side]

For R-2 : Mr. Farhathullah

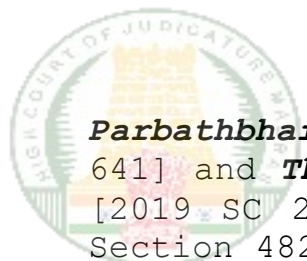
ORDER

The Criminal Original Petition has been filed to quash the F.I.R. in Crime No.03 of 2019, dated 05.02.2019 pending on the file of the respondent Police for the alleged offences under Sections 120 (B), 406, 420, 468, 506(i) 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 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 Mr. Joesph, District Crime Branch, Dindigul. 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 Gujrath [(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.03 of 2019, dated 05.02.2019, pending on the file of the respondent Police.

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5. This Criminal Original Petition stands allowed and as a sequel, the F.I.R. in Crime No.03 of 2019, dated 05.02.2019 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 petitioner 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, Madurai Bench), 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 (AD I)

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox Copy of Joint Compromise Memo.

To

1.The Inspector of Police,
District Crime Branch Police, Dindigul District, Dindigul.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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

+1cc to Mr.S.SARAVAGAN PRABU, Advocate, SR.No. 54097

Cr1.O.P.[MD]No.3525 of 2019
14.03.2019

CM/TSG

KK/SAR-/25.03.2019/2P-5C