



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2019

CORAM:

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

Crl.O.P.[MD]No.3549 of 2019

R.Jothi Manickam : Petitioner / Accused No.1

/Vs./

State represented by

1.The Inspector of Police,

K.Pudur Police Station

Madurai District.

[Crime No.817 of 2018]

: 1st Respondent / Complainant

2.Krishnakumar

: 2nd Respondent / *De facto*
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the FIR in Crime No.817 of 2018 on the file of the Inspector of Police, K.Pudur Police Station, Madurai, and quash the same.

For Petitioner : Mr.C.Meenakshi Rama Prabu

For R-1 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl. Side)

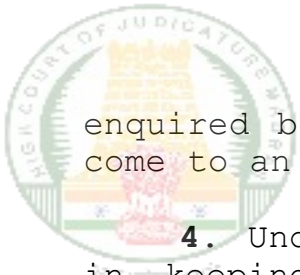
For R-2 : Mr.P.Gunasekaran

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.817 of 2018 on the file of the Inspector of Police, K.Pudur Police Station, Madurai, for alleged offences under Sections 406, 418, 420 and 424 IPC. 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.P..Dilipkumar, Sub-Inspector of Police, E.I.Pudur Police Station, Madurai District. 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 FIR in Crime No.817 of 2018 on the file of the Inspector of Police, K.Pudur Police Station, Madurai.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.817 of 2018 on the file of the Inspector of Police, K.Pudur Police Station, Madurai, 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 "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 (CO)

/ True Copy /

Sub Assistant Registrar(CS)

Encl:Xerox copy of Joint Compromise Memo

To

- 1.The Inspector of Police,
K.Pudur Police Station, 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)