



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2019

CORAM:

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

Crl.O.P.[MD]No.3873 of 2019

Karthick : Petitioner / Accused

Vs.

1.The Inspector of Police,
Appanthirupathy Police Station,
Madurai District. : 1st Respondent / Complainant
(Crime No.206 of 2017)

2.Poosari : 2nd Respondent / De facto
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.206 of 2017, pending on the file of the first respondent Police station and quash the same.

For Petitioner	: Mr.S.M.A.Jinnah
For R-1	: Mr.V.Neelakanden Government Advocate [Crl.Side]
For R-2	: Mr.M.Kaushikan

ORDER

The Criminal Original Petition has been filed to quash the the First Information Report in Crime No.206 of 2017, on the file of the first respondent Police. The offences are primarily private in nature.

2. The case is still in the stage of investigation. It is submitted that the girl has eloped with the boy. They were living, and they were socially, economically and educationally so backward that they did not know the law, that the girl has eloped with the boy and married and now they have a baby. 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.Rajendran, SI, Appanthirupathi 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 ***the State of Madhya Pradesh Vs. Laxmi Narayan & Others*** [CD 2019 SC 264] and ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath*** [(2017) 9 SCC 641] this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes Crime No.206 of 2017, pending on the file of the first respondent Police station

5. Taking into account, the over all facts and circumstances of the case, this Criminal Original Petition stands allowed and as a sequel, Crime No.206 of 2017, pending on the file of the first respondent Police station 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 (P & A)

// True Copy //

Sub Assistant Registrar (CS)

Tsg

ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

To

- 1.The Inspector of Police,
Appanthirupathy Police Station,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 3.The District Siddha Medical Officer, CCRI, Periyakulam
Theni.

+1CC TO MR.S.M.A.JINNAH, Advocate Sr. No. 59593

Cr1.O.P. [MD]No.3873 of 2019
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