



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE
CrI.O.P.[MD]No.3971 of 2019

WEB COPY

1.Kumar
2.M.Aravind @ Anil
3.Surya @ Susai
4.Hariharan
5.Rajesh Kumar
6.Balasingam
7.M.Moorthi

: Petitioners

Vs.

1.State through its Inspector of Police,
Kottampatty Police Station,
Crime No.49 of 2019.

2.Karthika
3.Muthiah

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in relating to the Crime No.49 of 2019 on the file of the first respondent and quash the same.

For Petitioners : Mr.S.M.P.Amalan
For R-1 : Mr.V.Neelakandan
Additional Public Prosecutor
For R-2 & R-3 : Mr.S.Vijayakumar

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.49 of 2019, on the file of the first respondent police, for an alleged offences under Sections 364(A), 365 and 506(i) IPC. The offences are chiefly 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 S.Dayalan, Sub Inspector of Police, Kottampatti Police Station, Contact No.9498198173. 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.49 of 2019.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.49 of 2019, 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. The petitioners shall pay a sum of Rs.500/-, each 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 (CO)

// True Copy //

Sub Assistant Registrar(CS)

rmi/ta

Encl: Xerox Copy of Joint Compromise Memo.

To

1.The Inspector of Police, Kottampatty Police Station.

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

3.The District Siddha Medical Officer,
CCRI, Periyakulam.

Copy To:

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai. **(2 copies)**

Cr1.O.P. [MD]No.3971 of 2019

21.03.2019