



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2019

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Cr1.O.P.[MD]No.4042 of 2019

Vijaya Kumar : Petitioner/Accused No.2

Vs.

- 1.State rep. by its
The Inspector of Police,
Panavadalichatram Police Station,
Tirunelveli District
(Crime No.28 of 2019) : 1st Respondent/Complainant
2. Kandakrishnan : 2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in Crime No.28 of 2019 on the file of the first respondent police and quash the same.

For Petitioner: Mr.R.J.Karthick

For R-1 : Mr.V.Neelakandan,
Additional Public Prosecutor

For R-2 : Mr.S.Marimuthu

ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.28 of 2019 on the file of the first respondent police for the alleged offences under Sections 147, 294(b), 323 and 506(i) IPC. The offences are chiefly private in nature.

2. The case is under 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 has been signed by the petitioners 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 the police attached to the first respondent police. 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 offence involved is 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*** [CDJ 2019 SC 264] and ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat*** [(2017) 9 SCC 641], this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.28 of 2019 on the file of the first respondent.

5. This Criminal Original Petition stands allowed and as a sequel, the First Information Report in Crime No.28 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 petitioner shall pay a sum of Rs.1000/-, as cost, to the credit of the "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, SBI, 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)

To

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

COPY TO:

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

+1cc to Mr.R.J.KARTHICK, Advocate, SR.No.55536

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CM

KK/SAR/10.06.2019/2P-5C