



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2019

CORAM:

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

**Cr1.O.P.[MD]No.4720 of 2019**

**and**

**Cr1.M.P.(MD)No.3241 of 2019**

Manmatharaj

: Petitioner

Vs.

1.State rep by its

The Inspector of Police,  
Vadamadurai Police Station,  
Dindigul District.

(Crime No.449 of 2018)

: 1<sup>st</sup> Respondent / Complainant

2.Balamani

: 2<sup>nd</sup> Respondent / Defacto  
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records of the case in Crime No.449 of 2018 on the file of the first respondent police and quash the same insofar as this petitioner is concerned alone.

For Petitioner : Mr.V.Baskaran

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

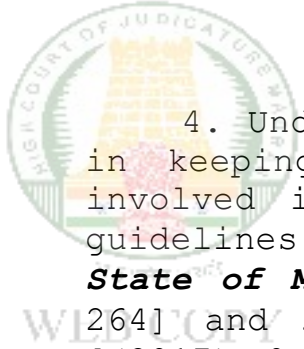
For R-2 : Mr.M.John Bosco

### **ORDER**

The Criminal Original Petition has been filed to quash the FIR in Crime No.449 of 2018 on the file of the first respondent police, registered for Woman Missing and subsequently altered into Sections 147, 294(b), 323, 342 and 506(ii) IPC. The offence is 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 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.A.Sivakumar, Special Sub-Inspector of Police, Vadamadurai Police Station, Dindigul District, Contact No.83000 02656. 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 Gujrath** [(2017) 9 SCC 641], this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the FIR in Crime No.449 of 2018 on the file of the first respondent police.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No. 449 of 2018 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.1,000/-, as costs, 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

Encl:Xerox copy of Joint Compromise Memo  
To

1.The Inspector of Police,  
Vadamadurai Police Station,  
Dindigul District.

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

Copy to  
The District Siddha Medical Officer,  
CCRI, Periyakulam

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**Cr1.O.P. [MD] No.4720 of 2019**  
**04.04.2019**