



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.4857 of 2019

Karthika

: Petitioner

Vs.

1.The State rep by its
Sub Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
(Crime No.105 of 2017) : 1st Respondent / Complainant

2.Ramanathan : 2nd 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.105 of 2017 on the file of the first respondent police and quash the same insofar as this petitioner is concerned alone.

For Petitioner : Mr.S.Veeranasamy
For R-1 : Mr.V.Neelakandan,
Additional Public Prosecutor.
For R-2 : Mr.S.Muthukumar

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.105 of 2017 on the file of the first respondent police, registered for Woman Missing and subsequently altered into Sections 406, 417, 494 and 497 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.M.Thangarajan, Special Sub-Inspector of Police, Sivagangai Town Police Station, Sivagangai District, Contact No.83000 02020. 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.105 of 2017 on the file of the first respondent police.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No. 105 of 2017 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.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

Sub Assistant Registrar(CS)

(Enclosure:Xerox Copy of Joint Compromise Memo
To

- 1.The Sub Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
 - 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- Copy To
- 1)The District Siddha Medical Officer,
CCRI, Periyakulam
(Payable in Account No.10767823177)
 - 2)The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.
- +1cc to Mr.V.Neelakandan,Advocate, SR.No.59001

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