



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2019

CORAM

WEB COPY

**THE HONOURABLE Mr. JUSTICE M.DHANDAPANI**

Crl.O.P.No.4983 of 2019

S.Manikandan

.. Petitioner/Sole Accused

Vs

1. The Inspector of Police,  
Kaluugumalali Police Station,  
Thoothukudi District.  
(Crime No.199 of 2018)

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

2. Arumugam

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

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in Crime No.199 of 2018 on the file of the first respondent police and to quash the same against the petitioner concern.

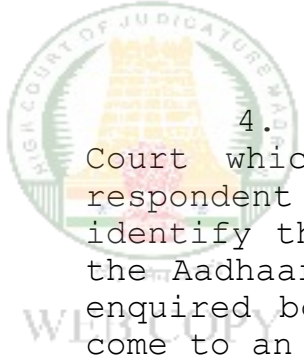
|                |                                                                |
|----------------|----------------------------------------------------------------|
| For Petitioner | : Mr.C.Saravanakumar                                           |
| For R1         | : Mr.K.Suyambulinga Bharathi<br>Government Advocate (Crl.Side) |
| For R2         | : Mr.S.Selvakumar                                              |

### **O R D E R**

The Criminal Original Petition has been filed to quash the Crime No.199 of 2018 on the file of the first respondent police.

The case of the prosecution is that the petitioner and the second respondent's son while working at abroad, their became a friends. The petitioner given a false promise as if they will secure job in Singapore through his friend and collected a sum of Rs.9,85,000/- from the petitioner. Thereafter, the petitioner neither secured the job at abroad nor repaid the amount to the defacto complainant. For which, the respondent police registered a case in Crime No.199 of 2018 for the alleged offences under Sections 406 & 420 of IPC.

3. 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.



4. 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. In order to identify the respective parties they have also produced the copy of the Aadhaar Card which is made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police has no objection and identified the parties, who appeared before this Court.

6. Under such circumstances, no useful purpose will be served in keeping the investigation 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 Crime No.199 of 2018.

7.This Criminal Original Petition stands allowed and as a sequel, the case in Crime No.199 of 2018 pending before the respondent police is quashed. The petitioner shall pay a sum of Rs.1,000/- 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 two weeks 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 /

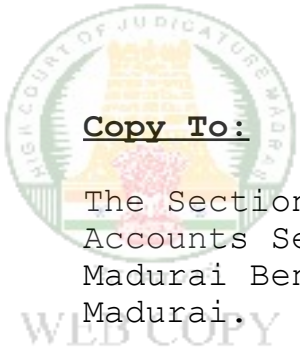
Sub Assistant Registrar(CS)

**Encl: Xerox copy of Joint Compromise Memo**

To

1. The Inspector of Police,  
Kaluugumalali Police Station,  
Thoothukudi District.

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

**Copy To:**

The Section Officer,  
Accounts Section,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to Mr.C.SARAVANA KUMAR,Advocate (SR-60455[F] dated 11/04/2019)

**Cr1.O.P.No.4983 of 2019**  
**11.04.2019**

ES/14.05.2019/3P/5C