



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2019

CORAM:

**THE HONOURABLE MR.JUSTICE N.SESHASAYEE**  
**Cr1.O.P.[MD]No.5050 of 2019**

WEB COPY

1.Mari @ Marimurugan  
2.Powlash @ John Bowles  
3.Sivaperumal : Petitioners/Accused Nos.1 to 3

Vs.

1.The State  
By the Inspector of Police,  
Kundrakudi Police Station,  
Sivagangai District. : 1<sup>st</sup> Respondent / Complainant

2.Karthikeyan : 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 pertaining to Crime No.45 of 2019 on the file of the first respondent and quash the same.

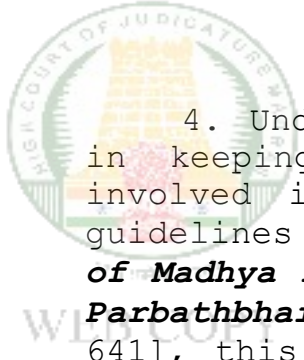
For Petitioners : Mr.T.Lenin Kumar  
For R-1 : Mr.V.Neelakandan,  
Additional Public Prosecutor.  
For R-2 : Mr.D.Venkatesh

### ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.45 of 2019 on the file of the first respondent police, for the alleged offences under Sections 294(b), 323, 324 and 379 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 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 Mr.R.Kalaimani, Special Sub-Inspector of Police, Kundrakudi Police Station, Sivagangai District, Contact No.83000 17135. 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 FIR in Crime No.45 of 2019 on the file of the first respondent police.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No. 45 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.1,000/-, each 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 (CS II)

// True Copy //

Sub Assistant Registrar(CS )

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Encl: Xerox copy of Joint Compromise Memo.

To

- 1.The Inspector of Police,  
Kundrakudi Police Station, Sivagangai District.
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.
- 3.The District Siddha Medical Officer, CCRI, Periyakulam.

1 CC to M/s.D.VENKATESH, Advocate ( SR-59722[F] dated 08/04/2019 )

**CrI.O.P.[MD]No.5050 of 2019**  
**04.04.2019**

**DS/ /SAR- (02.05.2019) 2P 5C**