



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Cr1.O.P.[MD]No.5803 of 2019

WEB COPY

1.Athisayapandian
2.Sundar @ Sakthivel
3.Azhaguraja
4.Selvam @ Selvaraj
5.Boomi

: Petitioners/Accused Nos.1 to 5

Vs.

1.The Inspector of Police,
Samayanallur Police Station,
Madurai District.
Crime No.591 of 2017

: 1st Respondent / Complainant

2.Irulappan

: 2nd Respondent / Defacto
Complainant

3.Siva @ Sivasakthi

4.Vimal Kumar

: 3 & 4 Respondent/Victims

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to quash the FIR in Crime No.591 of 2017 on the file of the first respondent police and quash the same on the basis of joint compromise memo dated 20.03.2019.

For Petitioners : Mr.S.Shanmugaraja

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

For R-2 to R4 : Mr.S.Prabhu

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.591 of 2017 on the file of the first respondent police, for the alleged offence under Sections 147,148, 294(b), 323, 324 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 petitioners and the



respondents Nos.2 to 4 and also by their respective counsel. The petitioners and the respondents Nos.2 to 4 were also present in person before this Court and they were identified by Mr.Velmurugan, Sub-Inspector of Police, Samayanallur Police Station, Madurai District, Contact No.9498190934. 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.591 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. 591 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. Each of the petitioners shall pay a sum of Rs.500/-, 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 (w)

// True Copy //

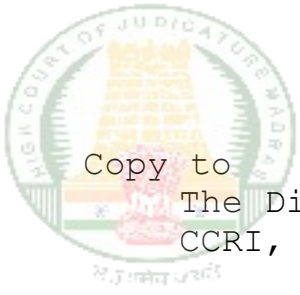
Sub Assistant Registrar(CS)

Encl:Xerox copy of Joint Compromise Memo

To

1.The Inspector of Police,
Samayanallur Police Station,
Madurai District.

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



Copy to
The District Siddha Medical Officer
CCRI, Periyakulam.

+1 CC to M/s.S.SHANMUGARAJA, Advocate (SR-62555[F] dated
25/04/2019)

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KM/ (21.05.2019) 3P 5C