



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P. (MD) .No.4737 of 2019

and

Crl.M.P. (MD)No.2907 of 2019

1.Syed Salami,

2.Yasar Arabath

... Petitioners

Vs.

1.The Inspector of Police
Rajapalayam South Police Station
Virudhunagar District
(Cr.No.677/2018)

2.Balasubramanian

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in Cr.No.677 of 2018 on the file of the first respondent police and quash the same.

For Petitioner : Mr.A.Uthayakumar

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. side)

For R-2 : Mr.M.Karunanithi

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.677 of 2018, on the file of the first respondent police.

2. The case is still at 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.Marichamy, Special Sub Inspector of Police. 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 First Information Report pending before the respondent police. 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 First Information Report in Crime No.677 of 2018 pending on the file of the first respondent police.

5. It is represented by the learned counsel for the petitioners that the petitioners already paid a sum of Rs.10,000/- (Rupees Ten Thousand only) [Each of the petitioner Rs.5,000/-] as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), and filed the photocopy of the receipt along with this memo, on 22.11.2019. The said submission is placed on record.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the F.I.R in Crime No.677 of 2018, on the file of the first respondent police, is quashed and the terms of joint compromise memo shall form part and parcel of this order. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

Sub Assistant Registrar(CS)

Ls

To

1. The Inspector of Police
Rajapalayam South Police Station
Virudhunagar District.

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

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

+1CC TO MR.A.UTHAYA KUMAR, Advocate Sr. No. 101024

Cr1.O.P. (MD).No.4737 of 2019

22.11.2019

pm (CO)

TR(25.11.2019) 2P 5C

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