



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.10.2019

CORAM:

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

Crl.O.P.(MD).No.6296 of 2019

and

Crl.M.P.(MD).No.4170 of 2019

Karunakaran ... Petitioner/6th Accused
Vs.

1.The Sub-Inspector of Police,
Munneerpallam Police Station,
Tirunelveli District.
[Ref.Cr.No.180 /2013]

...1st Respondent/Complainant

2.Christin Jeeva,
Administrative Officer,
PSN College of Engineering & Technology,
Melathediyoore,
Tirunelveli-627 152.

... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the case in Crime No.108 of 2013 on the file of the first respondent, the Sub-Inspector of Police, Munneerpallam Police Station, Tirunelveli District and quash the same as against this petitioner and all further proceedings.

For Petitioner : Mr.D.Shanmugaraja Sethupathi

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

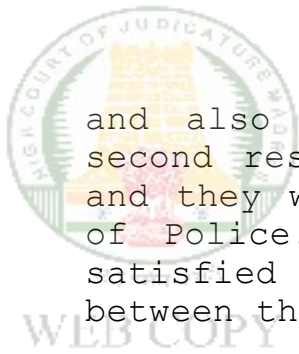
For R-2 : Mr.G.Manikandan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.108 of 2013, on the file of the first respondent police, for an alleged offences under Sections 147, 448 of IPC and Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act.

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 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.A.Subburamakrishnan, 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.108 of 2013 pending on the file of the first respondent police.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.108 of 2013, 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. The petitioner shall pay a sum of Rs.5000/- (Rupees Five Thousand only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), 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. Consequently, the connected Crl.M.P.(MD).No.4170 of 2019 is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox copy of joint compromise memo

To

1.The Sub-Inspector of Police,
Munneerpallam Police Station,
Tirunelveli 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 M/s.D.SHANMUGARAJA SETHUPATHI, Advocate (SR-94339[F]
dated 24/10/2019)

vsg

Crl.O.P.(MD).No.6296 of 2019
and
Crl.M.P.(MD).No.4170 of 2019
23.10.2019

_KM/ (05.11.2019) 3P 5C