



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2019

CORAM

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

CRL.O.P. (MD) .No.12864 of 2019

WEB COPY

1.Kazhuvar, S/o.Mayathevar

2.Kazhuvar, S/o.Mookaiah

3.Sekar

4.Mokkadurai

5.Ramaraj

6.Packiyam

... Petitioners 1 to 6/Accused 1 to 6

7.Anandhakumar

8.Vanjinathan

9.Nagoor Hanifa

... Petitioners 7 to 9/ Accused Rank not known

Vs.

1.The Inspector of Police,

Varusanadu Police Station,

Theni District.

(Crime No.82 of 2019)

...1st Respondent/Complainant

2.Mokkai

...2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the FIR in Crime No.82 of 2019 on the file of the first respondent police and quash the same as the matter is amicably settled between both parties.

For Petitioners : Mr.R.Gandhi

For R1 : Mr.K.Suyambulinga Bharathi,

Government Advocate (Criminal Side)

For R2

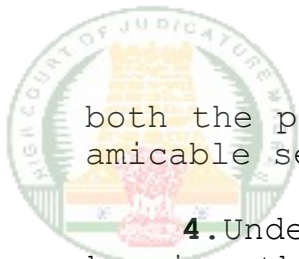
: Mr.M.Kubendiran

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.82 of 2019, on the file of the first respondent police, for the alleged offences punishable under Sections 417, 420, 419, 465, 471 and 468 of IPC.

2.The case is under 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.S.Raja, SI 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.82 of 2019, 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.82 of 2019, on the file of the first respondent police, is quashed and the terms of joint compromise memo, which shall form part and parcel of this order. The petitioners/A1 and A2 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.

Sd/-

Assistant Registrar (AD II)

// True Copy //

Sub Assistant Registrar(CS)

das

To

1. The Inspector of Police,
Varusanadu Police Station,
Theni District.

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

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

+1 CC to M/s.R.GANDHI, Advocate (SR-87796[F] dated 19/09/2019)

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18.09.2019

KK/SAR/03.10.2019/2P-5C/