



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Cr1.O.P.[MD]No.17864 of 2018

and

Cr1.M.P.(MD)No.7907 of 2018

Ajith Kumar

: Petitioner/Accused 4

Vs.

1.The Inspector of Police,

Sivagangai Taluk Police Station,

Sivagangai District.

...1st Respondent/Complainant

2.V.Pannirselvam

: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 impugned FIR in Crime No.368 of 2017 on the file of Inspector of Police, Sivagangai Taluk Police Station, Sivagangai District, quash the same in respect of the petitioner.

For Petitioner : Mr.V.S.Kumaraguru

For R-1 : Mr.V.Neelakandan

Additional Public Prosecutor

For R-2

: Mr.V.Pandi

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.368 of 2017, on the file of the first respondent police, for an alleged offences under Sections 294(b), 323, 506 (2) IPC read with Section 3 of the Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992. The offences are 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 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 the Inspector of Police, Sivagangai Taluk Police Station, Sivagangai District. 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, 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.368 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.368 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. The petitioner shall pay a sum of Rs.1000/-, as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry, Madurai Bench), 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 ()

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox copy of Joint Compromise Memo

To

1.The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.

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

Copy to 1.The District Siddha medical Officer,
CCRI, Periyakulam

2.The Section Officer, (2 copies)
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

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



+1 CC to M/s.V.S.KUMARAGURU, Advocate (SR-55707[F] dated 21/03/2019)

+1 CC to M/s.V.PANDI, Advocate (SR-55708[F] dated 21/03/2019)

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