



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.09.2019**

CORAM:

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

Crl.O.P. (MD) .No.3367 of 2018

and

Crl.M.P (MD) No.1568 of 2018

Veerasamy

... Petitioner

Vs.

1.The State through

The Inspector of Police
Oomatchikulam Police Station,
Madurai District.

(Crime No.922 of 2012)

2.K.Kannan

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to quash the case in C.C.No.11 of 2016 on the file of the Judicial Magistrate No.IV, Mdurai in connection with Crime No.922 of 2012 on the file of the respondent herein, the Inspector of Police, Oomatchikulam Police Station.

For Petitioner : Mr.M.Sridharan

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

For R-2 : Mr.R.Mathiyalagan

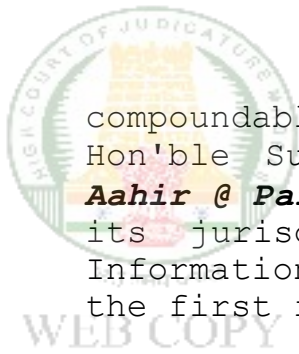
O R D E R

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.11 of 2016 on the file of the Judicial Magistrate No.IV, Mdurai, in connection with Crime No.922 of 2012 on the file of the respondent herein, the Inspector of Police, Oomatchikulam Police Station, for the alleged offences under Sections 406, 420 and 506(ii) of IPC.

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.Muniyandi, 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 is 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.922 of 2012 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.922 of 2012, on the file of the first respondent police, is quashed and the terms of affidavit of the defacto complainant which shall form part and parcel of this order. The petitioner shall jointly 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 (CS II)

// True Copy //

Sub Assistant Registrar(CS)

vsd

Encl:Xerox Copy of Joint Compromise Memo.

To

- 1.The Inspector of Police,
Oomatchikulam Police Station,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai

Copy to:

- 1.The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.
- 2.The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.(2 Copies)

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