



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.12234 of 2019

1.Muthupandi

2.Manikandan

... Petitioners/Accused Nos.1 & 2

Vs.

1.State rep. by

The Inspector of Police,
Tallakulam Police Station
Madurai City

(Crime No.1233 of 2019) ... Respondent/Complainant

2.Mohammed Farook

... Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the impugned FIR in Crime No.1233 of 2019, dated 10.08.2019, on the file of the Inspector of Police, Tallakulam Police Station, Madurai District and quash the same as illegal.

For Petitioners : Mr.D.Rameshkumar

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

For R-2 : Mr.R.Senthilkumar

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.1233 of 2019, on the file of the first respondent police, for an alleged offence under Sections 294(b), 323 and 506(ii) 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 petitioners 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.Kannan, 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.1233 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.1233 of 2019, 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 petitioners 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 (Crl.Side)

// True Copy //

Sub Assistant Registrar(CS)

msa

Encl:

Xerox Copy of the Joint Compromise Memo

To

- 1.The Inspector of Police,
Tallakulam Police Station
Madurai City
- 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.

Copy to:

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

+2 CC to M/s.D.RAMESHKUMAR, Advocate (SR-85569 & 85570 [F] dated
06/09/2019)

CrI.O.P. (MD) .No.12234 of 2019
05.09.2019

JMN(26.09.2019) 3P : 8C