



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.12229 of 2019

WEB COPY

P.Moorthy

... Petitioner/Sole Accused

Vs.

1.State rep. by

The Inspector of Police,
TIW-II Police Station,
Thallakulam, Madurai City,
Madurai District.
In Crime No.155 of 2019.

... 1st Respondent/Complainant

2.Nirmala devi

... Defacto Complainant

3.S.Vigneeswaran

... 3rd Respondent/Victim

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records the First Information Report in Crime No.155 of 2019, on the file of the 1st respondent police and quash the same as illegal.

For Petitioner	: Mr.S.T.Sasidharan Tamil Kani
For R-1	: Mr.K.Suyambulinga Bharathi
	Government Advocate (Crl. side)
For R-2	: M/s.P.Banu Prasath

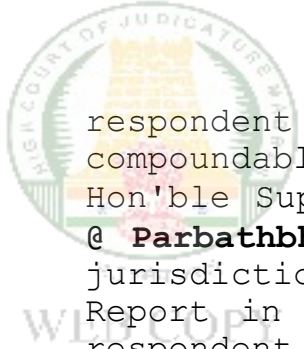
ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.155 of 2019, on the file of the first respondent police, for an alleged offences under Sections 279 and 337 of IPC and Section 185 of Motor Vehicles Act, 1988.

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 respondents 2 and 3 and also by their respective counsel. The petitioner and the respondents 2 and 3 were also present in person before this Court and they were identified by Mr.Sivagami, Head Constable 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.155 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.155 of 2019, 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 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-III)

// True Copy //

Sub Assistant Registrar(CS)

Encl.:Xerox Copy of Joint Compromise Memo

To

- 1.The Inspector of Police,
TIW-II Police Station,
Thallakulam, Madurai City,
Madurai 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 Mr.S. T.SASI DHARAN TAMIL KANI, Advocate (SR-84804[F]
dated 03/09/2019)

Cr1.O.P. (MD) .No.12229 of 2019
03.09.2019