



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2019

CORAM:

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

Crl.O.P.(MD).No.17404 of 2019

Kathiresan

... Petitioner/Sole accused

Vs.

1.The State rep. by
The Inspector of Police,
Radhapuram Police Station
Radhapuram, Tirunelveli District.
(Crime No.65 of 2018) ...1st Respondent/Complainant

2.S. Thangalakshmi ...2nd Respondent/Defacto Complainant
3. Jeyakumar ... 3rd Respondent/Victim

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the FIR in Crime No.65/2018 u/s 447, 294(b), 323, 324, 506(ii) of IPC and section 4 of TNPHW Act, 2002 on the file of the 1st Respondent police, dated 18.03.2018 and quash the same.

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

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.65/2018 u/s 447, 294(b), 323, 324, 506(ii) of IPC and section 4 of TNPHW Act, 2002 on the file of the 1st Respondent police, dated 18.03.2018 as against the petitioner.

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 the 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No. 65 of 2018 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. 65 of 2018, 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.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS-II)

Encl: Xerox copy of Joint Compromise Memo

To

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

Crl.O.P. (MD) .No.17404 of 2019
28.11.2019

KSA
SDS/28.11.2019/2P/3C