



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.12141 of 2019

Muthukumaran

... Petitioner/ Sole Accused

Vs.

1.State rep. by

The Inspector of Police,
All Women Police Station
Pudukottai,
Tuticorin
(Crime No.4 of 2019)

... Respondent/Complainant

2. Thangaponnu

... Respondent/ De-facto complainant

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.04 of 2019 on the file of the first respondent dated 02.04.2019 and quash the same as illegal.

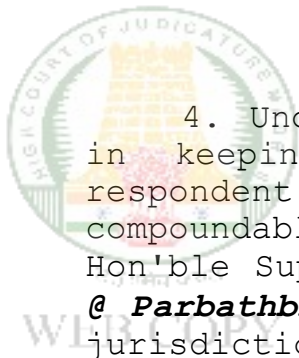
For Petitioner : Mr.T.Lajapathi Roy
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)
For R-2 : Mr.Arjunvarman

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in Crime No.04 of 2019 on the file of the first respondent dated 02.04.2019, for alleged offences under Sections 448, 294(b), 323, 354(A), 506(2) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002.

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 Ms.Muthumari, Women 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 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 Gujarat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.04 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.04 of 2019, on the file of the first respondent police, is quashed and the terms of affidavit of the de facto complainant which shall form part and parcel of this order. The petitioner shall pay a sum of Rs.5,000/- (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 (A.S)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Inspector of Police,
All Women Police Station
Pudukottai, Tuticorin.
(Crime No.4 of 2019)
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.T.LAJAPATHI ROY, Advocate SR-85657.

Order made in
Crl.O.P. (MD) .No.12141 of 2019
Dated:05.09.2019

CS(27.09.2019) 2P 4C