



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.14451 of 2019

WEB COPY

1. Jerino Shimmer @ Carino Shimmer
2. Ashwin Rohan @ Ashwin Rohan Beniel

: Petitioners/Accused Nos.1 & 2

Vs.

1. State represented through
Inspector of Police,
Vadasery Police Station,
Nagercoil, Kanyakumari District.
(In Crime No.207 of 2019)

: 1st Respondent/Complainant

2. Jenio

: 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in Crime No.207 of 2019, pending on the file of the first respondent Police and quash the same.

For Petitioners	: Mr.Niranjan S.Kumar
For R-1	: Mr.K.Suyambulinga Bharathi
	Government Advocate (Crl. side)
For R-2	: Mr.K.M.Karunakaran

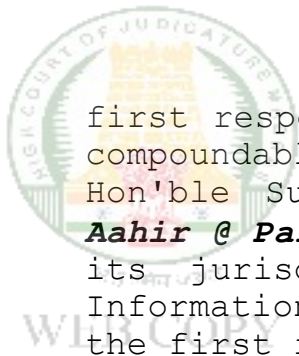
ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.207 of 2019, on the file of the first respondent Police for the alleged offences under Sections 147, 294 (b) 323 and 506 (i) of the Indian Penal Code.

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 petitioners and the second respondent were also present in person before this Court and they were identified by Mr.V.Nagarajan, 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



first 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.207 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.207 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 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)

tsg

Enclose: Xerox Copy of Joint Compromise Memo.

To

1. The Inspector of Police, Vadasery Police Station, Nagercoil, Kanyakumari 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.

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

+1 CC to M/s.NIRANJAN.S.KUMAR, Advocate SR-92045.

Crl.O.P. (MD) .No.14451 of 2019
15.10.2019

CS(01.11.2019) 2P 7C