



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2019

CORAM

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

CRL.O.P. (MD) .No.12962 of 2019

Muniyandi

... Petitioner/Sole Accused

Vs.

1.The Inspector of Police,
Mallankinaru Police Station,
Virudhunagar.
(Crime No.93 of 2018)

...1st Respondent/Complainant

2.Rajeswari

... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records and to quash the FIR in Crime No.93 of 2018 pending on the file of the first respondent police in the nature and circumstances of the case and in the interest of justice, equity and good conscience.

For Petitioner : Mr.R.Rajamohan

For R1 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Criminal Side)

For R2 : Mr.P.E.Pandiarajan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.93 of 2018, on the file of the first respondent police, for the alleged offences punishable under Sections 294(b), 307 of IPC.

2.The case is under 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 Mr.P.Pichai, SI 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

<https://hdservices.hds.courts.gov.in/hds/SupremeCourt> 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.93 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.93 of 2018, on the file of the first respondent police, is quashed and the terms of joint compromise memo, 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-II)

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox copy of joint Compromise memo

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To

1.The Inspector of Police,
Mallankinaru Police Station,
Virudhunagar.

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 M/s.R.RAJAMOHAN, Advocate (SR-87466[F] dated 18/09/2019)

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