



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.12989 of 2019

Jose Retnadas

...Petitioners/Sole Accused

Vs.

1.State represented by
The Inspector of Police,
All Women Police Station,
Thoothukudi.
(Crime No.18 of 2019)

... 1st Respondent/Complainant

2.Selvi

... 2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the proceedings in Crime No.18 of 2019, on the file of the first respondent police and quash the same.

For Petitioners : Mr.K.Samidurai

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

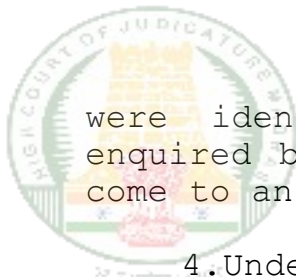
For R2 : Ms.T.Jeyanthi

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.18 of 2018, on the file of the Inspector of Police, All Women Police Station, Thoothukudi.

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 Ms.N,Neveetha, W.H.C(644). 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.18 of 2018, pending on the file of the Inspector of Police, All Women Police Station, Thoothukudi.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.18 of 2019, on the file of the Inspector of Police, All Women Police Station, Thoothukudi, is quashed and the terms of joint compromise memo, which shall form part and parcel of this order.

6.The petitioner is directed to file an undertaking affidavit before the respondent police stating that he will not indulge in any kind of activities as alleged by the defacto complainant. If the petitioner is indulged in same kind of illegal activities as alleged by the prosecution, the first respondent is directed to take appropriate action as against the petitioner in accordance with law. The petitioner shall pay a sum of Rs.5000/- (Rupees Five Thousand only) as costs, each to the victims mentioned in the First Information Report, and also to deposit a sum of Rs.10,000/-(Rupees Ten Thousand only) to the credit of the Honourable 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 (AS)

// True Copy //

Sub Assistant Registrar(CS)

das

To

1.The Inspector of Police,
All Women Police Station,
Nilakottai, Dindigul District.



2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

1.The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

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

+1 CC to M/s.K.SAMIDURAI, Advocate (SR-87393[F] dated 18/09/2019)

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JMN(09.10.2019) 3P : 7C