



WEB COPY

Crl.O.P.(MD)No.13127 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2019

CORAM :

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

Crl.O.P.(MD)No.13127 of 2019

Balamurugan

... Petitioner/Sole Accused

Vs.

1. State rep by
The Inspector of Police,
CBCID South Police Station,
Thoothukudi, Tuticorin District,
(in Crime No.1 of 2018)

... Respondent/Complainant

2.Meena

... 2nd Respondent/Defacto
complainant

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for the records in connection with FIR in Crime No.1 of 2018 on the file of the 1st respondent and to quash the same.

For Petitioner	:	Mr.A.Jeyaramachandran
For R1	:	Mr.K.Suyambulinga Bharathi Government Advocate (Crl.Side)
For R2	:	Mr.C.Kathiravan

O R D E R

This Criminal Original Petition has been filed to quash Crime No.1 of 2018 on the file of the 1st respondent.

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.Renganathan, 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 the Hon'ble Supreme Court reported in 2017 9 **SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.1 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.1 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

ENCL: Xerox Copy of the Compromise Memo

To

1. The Inspector of Police,
CBCID South Police Station,
Thoothukudi, Tuticorin District.
2. The Public Prosecutor,
High Court, Madras.

COPY TO:

1. The Section Officer, Accounts Section,
Madurai Bench of Madras High Court, Madurai.
 2. The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai. (2 copies)
- +1 CC to M/s.A.JAYARAMACHANDRAN, Advocate SR-88512[F] dated 23/09/2019

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20/09/2019

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dss

MS/04.10.2019/2P.7C