



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.09.2019
CORAM

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

CRL.O.P.(MD).No.13393 of 2019

Rathinam

... Petitioner

Vs.

1.The State represented by
The Inspector of Police,
Kovilpatti East Police Station,
Tuticorin District.
(Crime No.321 of 2019)

2.Aruna Devi

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in Crime No.321 of 2019 on the file of the first respondent police and quash the same.

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

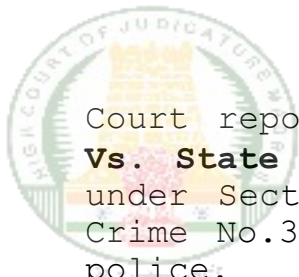
ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.321 of 2019, on the file of the first respondent police, for the alleged offences punishable under Sections 294(b), 324, 307, 506(ii) IPC and Section 4 of TNPHW Act.

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.S.Murugan, SSI 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.321 of 2019, pending on the file of the first respondent police.

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5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.321 of 2019, 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(P&A)

/TRUE COPY/

Sub Assistant Registrar

Enclosure: Xerox copy of Memorandum of Joint Compromise.

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To

- 1.The Inspector of Police,
Kovilpatti East Police Station,
Tuticorin District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

COPY TO:

- 1 THE SECTION OFFICER,
CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI. (2 COPIES)
- 2 THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.N.MARIAPPAN, Advocate SR.No. 90953

CRL.O.P.(MD).No.13393 of 2019
30.09.2019

JM/18.10.2019/2P/7C

<https://hcservices.ecourts.gov.in/hcservices/>