



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P. (MD) .No.13443 of 2019

WEB COPY

1.K.Venkatachalam
2.Sanjeev Kumar Baid
3.Rajnigandha Barter Private Ltd.,
represented by
Mr.Sanjeev Kumar Baid
4.Sathiyamoorthy ... Petitioners/Accused
- Vs. -

1.The State of Tamil Nadu
rep. by The Inspector of Police
District Crime Branch,
Ramanathapuram
Crime No.1 of 2019

2.R.Manikandan ... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in pursuant to the FIR in crime No.1 of 2019 on the file of the respondent police and quash the same.

For Petitioners : Mr.M.Karthikeya Venkitachalapathy

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)

For R-2 : Ms.S.M.Anitha

ORDER

The Criminal Original Petition has been filed to quash the proceedings in crime No.1 of 2019 on the file of the respondent police filed for the offences under Sections 465, 467, 468, 471, 420 and 120(B) of I.P.C.

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.

<https://hcservices.courts.gov.in/hcservices/> 3.A Joint Memo of Compromise has been filed before this Court,



which has 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.S.Charles, 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 FIR pending before the 1st 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 criminal proceedings in crime No.1 of 2019 on the file of the respondent police as against the petitioners.

5.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in crime No.1 of 2019 on the file of the 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 Madurai Bench of Madras 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)

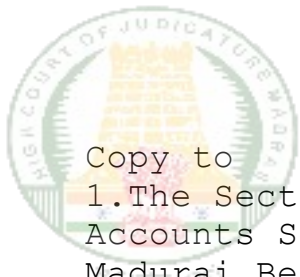
ENCL:Xerox copy of Joint Compromise memo

Arul
To

1.The Inspector of Police
District Crime Branch,
Ramanathapuram

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

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



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.M.KARTHIKEYA VENKITACHALAPATHY, Advocate (SR-89319
[F] dated 25/09/2019)

CrI.O.P. (MD) .No.13443 of 2019

24.09.2019

KM/(04.10.2019) 3P 7C