



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.09.2019

CORAM:

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

Crl.O.P.(MD).No.13411 of 2019

WEB COPY

1. Thiyagu @ Thiyagarajan  
2. Balu  
3. Umapandi  
4. Gangatharan ... petitioners

Vs.

1.State rep. by  
The Sub Inspector of Police,  
Sellur Police Station,  
Madurai City.  
In Crime No.830 of 2019.

2. Nambirasan ... Respondents

**PRAYER** : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the proceedings of FIR in Crime No.830 of 2019, dated 14.08.2019, on the file of the 1<sup>st</sup> respondent police and quash the same as illegal.

For petitioners : Mr. (\*) **R.Venkatesan**  
for M/s.Right Law Associates

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

For R-2 : Mr.Rajapandi

**ORDER**

The Criminal Original Petition has been filed to quash the proceedings in Crime No.830 of 2019, on the file of the first respondent police, for an alleged offences under Sections 294(b), 332, 324 & 506(ii) 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.

**3.**A Joint Memo of Compromise has been filed before this Court which have 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.Murugesan, 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 First Information Report is 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.830 of 2019 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.830 of 2019, on the file of the first respondent police, is quashed and the terms of affidavit of the defacto complainant which shall form part and parcel of this order. The petitioners 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(AD I)

Sd/

Assistant Registrar

**(\*)CORRECTED AS PER THE ORDER OF THIS**

**COURT DATED 18.11.2019 MADE IN**

**CRL OP(MD)No.13411 of 2019**

/True copy/

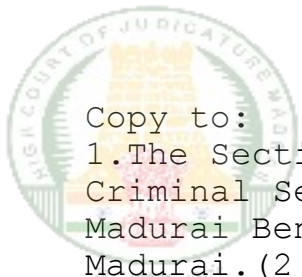
Sub Assistant Registrar(CS)

Encl:Xerox Copy of Joint Compromise Memo.

ksa

To

1. The Sub Inspector of Police,  
Sellur Police Station,  
Madurai City.
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court.



Copy to:  
1.The Section Officer,  
Criminal Section,  
Madurai Bench of Madras High Court,  
Madurai.(2 COPIES)

**WEB COPY**

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

+1 CC to M/s.RIGHT LAW ASSOCIATES, Advocate ( SR-89283[F] dated  
25/09/2019 )

Crl.O.P. (MD) .No.13411 of 2019  
25.09.2019

KK/SAR/18.10.2019/3P-7C/  
**KK/SAR/26.11.2019/3P-7C/**