



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
Cr1.O.P. (MD) .No.13815 of 2019

WEB COPY

Venkatesan

... Petitioner/Accused

Vs.

1.State rep. by
Inspector of Police,
Palanichettipatti Police Station,
Cr.No.282 of 2019,
Theni District.

... 1st Respondent/Complainant

2.Theivendran

... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in C.C.No.154 of 2019 on the file of the learned Judicial Magistrate, Theni, Theni District for offences U/s.294(b), 506(ii) of IPC., and to quash the same.

For Petitioner : Mr.V.Ananthasayanan
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Cr1. Side)

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.154 of 2019 on the file of the learned Judicial Magistrate, Theni, Theni District, for the offences U/s.294 (b) and 506(ii) of IPC.

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 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.Dharmar, 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 Cr.No.282 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 C.C.No.154 of 2019, on the file of the first respondent police, is quashed and the terms of affidavit of the *de facto* complainant, which shall form part and parcel of this order. The petitioner shall pay a sum of Rs.5,000/- (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

// True Copy //

Sub Assistant Registrar(CS)

Encl.: Xerox Copy of Joint Compromise Memo

To

1. The Judicial Magistrate,
Theni
2. The Inspector of Police,
Palanichettipatti Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
4. The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai
5. The Section Officer,
Criminal Section, (2 Copies)
Madurai Bench of Madras High Court,
Madurai

Crl.O.P. (MD) .No.13815 of 2019

27.09.2019

vsd

MK (12.11.2019) 2P 7C

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