



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.13796 of 2019

WEB COPY

1. Anand
2. Balamurugan @ Kasi
3. Ashwath Kumar ... Petitioners/Accused Nos. 1 to 3

Vs.

1.State rep. by
The Sub Inspector of Police,
Thirumangalam Town Police Station
Madurai District : 1st Respondent/Complainant

2.Rajagopal : 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the FIR in Crime No.639 of 2016 on the file of the first respondent and quash the same as illegal

For Petitioners : Mr.R.R.Kannan
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)
For R2 : Mr.A.Selvam

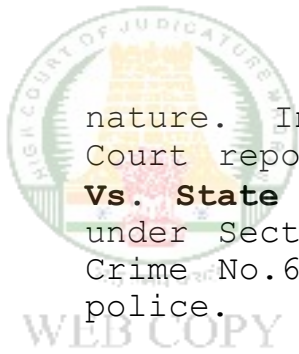
ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.639 of 2016, on the file of the first respondent police, for an alleged offences under Sections 363 and 379(NP) 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 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.Anbagalagan, 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.639 of 2016 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.639 of 2016, on the file of the first respondent police, is quashed and the terms of joint compromise memo 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 (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

aav

Enclose: Xerox Copy of Joint Compromise Memo.

To

1. The Sub Inspector of Police,
Thirumangalam Town Police Station
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to: The Section Officer, Accounts Officer,
Madurai Bench of Madras High Court,
Madurai.

+3 CC to M/s.RR.KANNAN, Advocate SR-90343.
+2 CC to M/s.A.SELVAM, Advocate SR-90344.

Crl.O.P. (MD) .No.13796 of 2019
30.09.2019

CS(17.10.2019) 2P 9C