



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2019

CORAM:

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

Crl.O.P. (MD) .No.14151 of 2019

WEB COPY

1. K.Klitan
2. Vijayanand
3. Ramesh Babu
4. Mahalingam
- 5.Manikandan

... Petitioners/Accused 1 to 5

Vs.

- 1.State rep. by
The Inspector of Police,
Courtallam Police Station
Tirunelveli District

..1st Respondent/Complainant

- 2.M.Ramani
- ... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in Crime No.269 of 2019 on the file of the first respondent police and quash the same.

For Petitioners : Mr.K.Kamesh Durairaj

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

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.269 of 2019, on the file of the first respondent police, for an alleged offences under Sections 294(b), 387, 506(ii) of IPC and Section 4 of TNPHW Act.

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.Asir Jebakumar, 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.269 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.269 of 2019, 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 (co)

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox copy of joint compromise memo

Aav

To

1. The Inspector of Police,
Courtallam Police Station
Tirunelveli District

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

Copy to

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

+3 CC to M/s.K.RAMESH DURAIRAJ, Advocate (SR-91405[F] dated 04/10/2019)

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