



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.10.2019

CORAM:

WEB COPY

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

**Crl.O.P. (MD) .No.15188 of 2019
and
Crl.M.P(MD)No.8767 of 2019**

1.G.Balamurugan
2.G.Karupayee
3.G.Gurusamy
4.M.Ramakkal

... Petitioners/Accused Nos.1 to 4

Vs.

1.State Rep. by its,
The Inspector of Police,
Nagaiyapuram Police Station,
Madurai District.
(Cr.No.99 of 2018)

... 1st Respondent / Complainant

2.S.Ambigapathi

....2nd Respondent/*De facto* Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.99 of 2018 on the file of the Nagaiyapuram Police Station, Madurai District and quash the same.

For Petitioners : Mr.S.Vijayakumar

For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (crl.side)

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in Crime No.99 of 2018 on the file of the Nagaiyapuram Police Station, Madurai District.

2. The case is still at the stage of trial. 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. 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.99 of 2018 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.99 of 2018, 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

Vsd

Encl:Xerox Copy of Joint Compromise Memo.

To

1.The Inspector of Police,
Nagaiyapuram Police Station,
Madurai District.

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

+1 cc Mr.S.VIJAYAKUMAR ,Advocate, SR.No. 95550

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