



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.14563 of 2019

1.Rakesh
2.Sethukarasi
3.Anandhi
4.Karthikeyan @ Karthi
5.Kalyani
6.Raja @ A.K.Raja
7.Andi Amabalam

: Petitioners/Accused Nos. A1 to A7

Vs.

1.State rep. by
The Inspector of Police,
All Women Police Station
Thilagar Thidal, Madurai.

: 1st Respondent/Complainant

2.Shanthi

: 2nd Respondent/Defacto Complainant

3.Karthika

: 3rd Respondent/Victim

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the impugned FIR in Crime No. 17 of 2018 on the file of the first respondent police and quash the same.

For Petitioners : Mr.M.Moorthy

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

For R2 and R3 : M/s.R.Chinna Ponnu

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.17 of 2018, on the file of the first respondent police, for an alleged offences under Sections 498(A) and 506(i) 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 and third respondent and also by their respective counsel. The petitioners and the second and third respondent were also present in person before this Court and they were identified by Mrs. Michael Jerold, WSI. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. As per the joint compromise memo the first petitioner has paid a sum of Rs.12,00,000/- (Rupees Twelve Lakhs only) and the same was duly acknowledged by the defacto complainant.

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.17 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.17 of 2018, on the file of the first respondent police, is quashed and the terms of joint compromise memo and receipt 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

// True Copy //

Sub Assistant Registrar(CS)

aav

Enclose: Xerox Copy of Joint Compromise Memo.



To

1.The Inspector of Police,
All Women Police Station
Thilagar Thidal,
Madurai.

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.

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.(2)

+1 CC to M/s.M.MOORTHY, Advocate SR-92100.

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CS(04.11.2019) 3P 7C