



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2019

CORAM:

WEB COPY

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

Crl.O.P. (MD) .No.15133 of 2019

1. Balu @ Balusamy
2. Muthubabu
3. Gajini Prabu @ Kathin Prabu
4. Mareeswaran
5. Magesh
6. Radha @ Radhakrishnan
7. Muthu @ Murthumuniasamy
8. Muthuvelu @ Muthuvelan
9. Arumugam ... petitioners/Accused 1 to 9

Vs.

- 1.The Inspector of Police
Sankaralingapuram Police Station,
Thoothukudi District
Cr.No.42 of 2019.

- 2.Sankarapandian ... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records akin to FIR in Crime No.42 of 2019 dated 10.09.2019 for the offences U/s, 147, 294(b), 323 and 506(i) of IPC on the file of the Inspector of Police, Sankaralingampuram Police Station, Thoothukudi District and quash the same.

For petitioners : Mr.R.Murugan

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

For R-2 : Mr.M.Chinnathambi



ORDER

The Criminal Original Petition has been filed to quash the proceedings of FIR in Crime No.42 of 2019 on the file of the first respondent police.

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.S.Muthusamy, 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 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.42 of 2019 pending on the file of the first respondent police.

5.This Criminal Original Petition stands allowed and as a sequel, the F.I.R in Crime No.42 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 jointly 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), and file a photocopy of the receipt along with a memo reporting compliance before the Registry and the 1st respondent on or before **25.11.2019**, failing which, this order automatically stands cancelled without further reference to this Court.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)



Encl:

Xerox Copy of the Joint Compromise memo

To

1. The Inspector of Police
Sankaralingapuram Police Station,
Thoothukudi 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.

+1 CC to M/s.R.MURUGAN, Advocate (SR-99109[F] dated 18/11/2019)

CrI.O.P. (MD) .No.15133 of 2019
18.11.2019

JMN(15.11.2019) 3P : 5C