



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.15105 of 2019

and

Crl.M.P. (MD) No.9035 of 2019

R.V.Ramganesh

... Petitioner/Sole Accused

- Vs. -

1.The State rep. by the
The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur crime No.54/2018

: 1st Respondent/Complainant

2.G.Saravanan

: 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.54 of 2018 dated 24.02.2018 for the offences under Sections 420 of I.P.C. registered by the 1st respondent and quash the same as illegal.

For Petitioner : Mr.T.Thirumurugan

For R-1 : Mr.K.Suyambulinga Bharathi,
G.A., (Crl. Side)

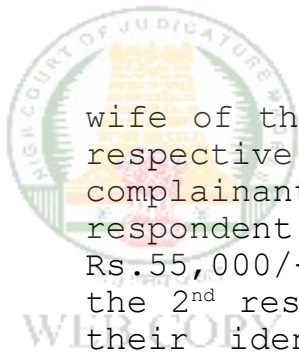
For R-2 : Mr.B.Jeyakumar

ORDER

The Criminal Original Petition has been filed to quash the criminal proceedings in crime No.54 of 2018 on the file of the 1st respondent and quash the same as illegal.

2.The case is still under investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3.A Joint Compromise Memo and an affidavit have been filed before this Court, which have been signed by the petitioner and the



wife of the second respondent/defacto complainant and also by their respective counsel. It is represented that since the defacto complainant/2nd respondent is in abroad, the wife of the 2nd respondent filed an affidavit stating that she received the sum of Rs.55,000/- from the petitioner. The petitioner and the wife of the 2nd respondent were also present in person before this Court and their identity is also verified through Mr.Navaneethan, Police Constable, Thanjavur Taluk Police Station. 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 investigation pending before the 1st respondent. 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 criminal proceedings in crime No.54 of 2018 on the file of the 1st respondent.

5.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in crime No.54 of 2018 on the file of the 1st respondent is quashed and the terms of Joint Compromise Memo and the affidavit shall form part and parcel of this order. The petitioner 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 Madurai Bench of Madras 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. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS)

Arul

Enclose: Xerox Copy of Joint Compromise Memo.

To

1. The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur.



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

WEB COPY

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

+1 CC to M/s.T.THIRUMURUGAN, Advocate SR-95576.

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CS(01.11.2019) 3P 5C