



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.15301 of 2019

D.Dharmalingam

... Petitioner/Sole Accused

Vs.

1.State Rep. by its,
The Inspector of Police,
Kallikudi Police Station,
Madurai District.
(Crime No.31 of 2018)

... 1st Respondent / Complainant

2.S.Muthulakshmi
Complainant

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

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records relating to the F.I.R. in Crime No.31 of 2018 on the file of the respondent police and quash the same as illegal.

For Petitioner	: Mr.M.Prabhu
For R1	: Mr.K.Suyambulinga Bharathi Government Advocate (crl.side)
For R2	: Mr.Balakrishnan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.31 of 2018 on the file of the respondent police.

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 Gujraath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.31 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.31 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. 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 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 (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

Vsd

Encl: Xerox copy of Joint Compromise Memo.

To

1.The Inspector of Police,
Kallikudi Police Station,
Madurai 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 Mr.M.PRABU, Advocate (SR-95313[F] dated 31/10/2019)

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