



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.11.2019**

CORAM:

WEB COPY

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

Crl.O.P. (MD) .No.16366 of 2019

1.D.Sadayandi
2.Manikandan

...Petitioners/Accused Nos.1 & 2

Vs.

1.State rep. by
The Inspector of Police
Watrap Police Station,
Virudhunagar District.
(Cr.No.236 of 2019)

...1st Respondent/Complainant

2.Marimuthu

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

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to FIR in Crime No.236 of 2019, dated 27.08.2019 on the file of the Inspector of Police, Watrap Police Station, Virudhunagar District and quash the same as against the petitioners.

For Petitioners : Mr.D.Srinivasaragavan

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

For R-2 : Mr.R.Devaraman

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in Crime No.236 of 2019, dated 27.08.2019 on the file of the Inspector of Police, Watrap Police Station, Virudhunagar District.

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.Kumarasamy, 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 is pending before the first 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.236 of 2019 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.236 of 2019, 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 petitioners shall jointly pay a sum of Rs.5,000/- (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 / first respondent on or before **19.11.2019**, failing which, this order automatically stands cancelled without further reference to this Court and the first respondent shall proceed with the investigation in Crime No.236 of 2019.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

vsd

Encl:

Xerox copy of the Joint Compromise Memo

To

1.The Inspector of Police
Watrap Police Station,
Virudhunagar District.

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

<https://hcservices.ecourts.gov.in/hcservices/>



Copy to:

1.The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

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

+1cc to Mr.D.Srinivasaragavan,Advocate, SR.No.97343

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11.11.2019

JMN(14.11.2019) 3P : 6C