



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.16523 of 2019

Ganesan ... Petitioner/Sole Accused

- Vs. -

1.State rep. by
The Inspector of Police,
South Police Station,
Thoothukudi
in crime No.566/2013 ...1st Respondent/Complainant

2.Pon Raj ... 2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to quash the FIR in crime No.566 of 2013 on the file of the 1st respondent police in view of the Joint Compromise memo filed by the parties.

For Petitioner : Mr.S.Antony S.Prabahar

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

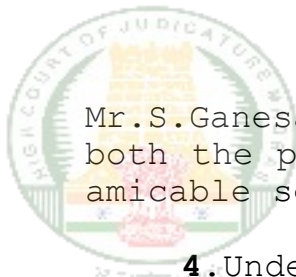
For R-2 : Mr.S.Sivakumar

ORDER

The Criminal Original Petition has been filed to quash the FIR in crime No.566 of 2013 on the file of the 1st respondent police in view of the Joint Compromise memo filed by the parties.

2.The case is pending for 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 has been filed before this Court, which has been signed by the petitioner and the second respondent/defacto complainant and also by their respective counsel. The petitioner and the 2nd respondent were also present in person before this Court and their identity is also verified through



Mr.S.Ganesan, 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 FIR 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.566 of 2013 on the file of the 1st respondent police as against the petitioner.

5.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in crime No.566 of 2013 on the file of the 1st respondent police is quashed and the terms of Joint Compromise Memo 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), and file a photocopy of the receipt along with a memo reporting compliance before the Registry, 1st respondent and the trial Court on or before 25.11.2019, failing which, this order automatically stands cancelled without further reference to this Court and the 1st respondent can proceed with the investigation in crime No.566 of 2013.

Sd/-

Assistant Registrar (Records)

// True Copy //

Sub Assistant Registrar(CS)

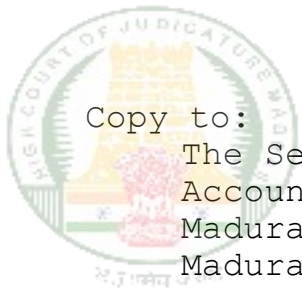
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Encl: Xerox copy of the Joint Compromise Memo

To

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

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.

WEB COPY

+1 CC to M/s.ANTONY.S.PRABAHAR, Advocate (SR-98645[F] dated
15/11/2019)

Crl.O.P. (MD) .No.16523 of 2019
15.11.2019

JMN(15.11.2019) 3P : 5C