



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2019

CORAM:

WEB COPY

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

Crl.O.P. (MD) .No.16603 of 2019

1. Mani @ Manikandan
2. Lingammal
3. Iyappan@ Hariayyappan
4. Durga

... Petitioners/Accused No.1,2,4 & 5

Vs.

- 1.State rep. by
The Inspector of Police,
Kalakkad Police Station,
Tirunelveli District
Crime No.406/2019

... Respondent No.1/Complainant

- 2.Annapushpam

... Respondent No.2/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records and quash the First Information Report in Crime No.406 of 2019 pending on the file of the first respondent police .

For Petitioners : Mr.R.karunanidhi

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

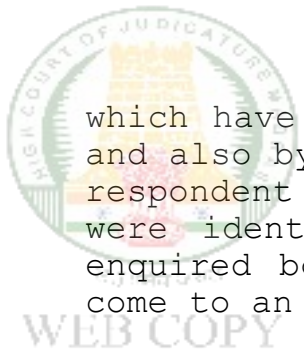
For R-2 : Mr.P.Ponraji

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.406 of 2019, on the file of the first respondent police, for an alleged offences under Sections 147,148,352,294(b),323,324,448,427 and 506(ii) of IPC and Section 4 of TNPHW Act

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



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.Libipalraj, SI 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 Gujraht)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.406 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.406 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 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 21.11.2019, failing which, this order automatically stands cancelled without further reference to this Court and the first respondent can proceed with the investigation in Crime No.406 of 2019

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

aav

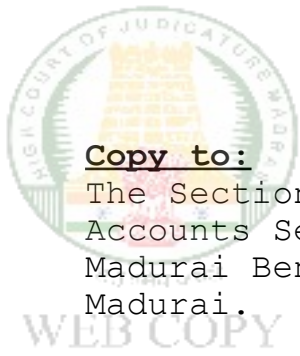
Encl: Xerox copy of the Joint Compromise Memo

To

1. The Inspector of Police,
Kalakkad Village
Tirunelveli District

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

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



Copy to:

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

+1 CC to M/s.R.KARUNANIDHI, Advocate (SR-98189[F] dated 14/11/2019)

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JMN(14.11.2019) 3P : 5C