



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2019

CORAM:

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

Crl.O.P. (MD) .No.16948 of 2018

1. John Jeyakumar

2. Packiyam

... Petitioners

Vs.

1.State rep. by

The Inspector of Police,

All Women Police Station

Alangulam, Tirunelveli District

2.Gunaseela

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the impugned First Information Report dated 19.01.2018 made in Crime No.02 of 2018 on the file of the All Women Police Station Alangulam and quash the same as devoid of merits

For Petitioners : Mr.S.Palani Velayutham

For R-1

: Mr.R.Anandharaj

Additional Public Prosecutor

ORDER

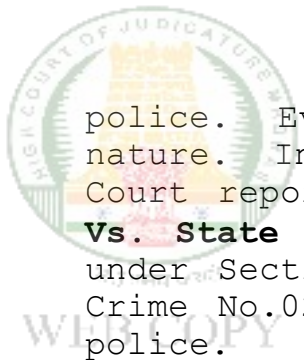
The Criminal Original Petition has been filed to quash the proceedings in Crime No.02 of 2018 , on the file of the first respondent police, for an alleged offences under Sections 342,109, 506(i) of IPC and Section 5(l)(j)(ii) r/w.Section 6 of POCSO Act

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 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 Mrs.Selvi, WPC 1622 . This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Today the petitioner and the victim girl appeared before this Court and they stated that they got married and living together and also gave birth to the child.

5.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.02 of 2018 pending on the file of the first respondent police.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.02 of 2018 , 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 27.11.2019, 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.02 of 2018

Sd/-

Assistant Registrar (AD I)

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox Copy of Joint Compromise Memo.

To

1. The Inspector of Police,
All Women Police Station
Alangulam, Tirunelveli 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 M/s.S.PALANI VELAYUTHAM, Advocate (SR-99406[F] dated 19/11/2019)

Crl.O.P.(MD).No.16948 of 2018

19.11.2019