



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.11.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**
Crl.O.P. (MD) .No.16669 of 2019

1.Iyer
2.Rajangam
3.Ayyammal
4.Vijaya Lakshmi
5.Marudhu Pandi @ Rajapandi
6.Puthuraja
7.Kubendran

... Petitioners/Accused Nos.1 to 7

Vs.

1.State through
The Inspector of Police,
Elumalai Police Station,
Madurai.
(Crime No.277 of 2016)

... 1st Respondent/Complainant

2.Petchiyammal

...2nd Respondent/
Defacto-Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in Crime No.277 of 2016 on the file of the first respondent and quash the same as illegal.

For Petitioners	: Mr.N.Ananthapadmanabhan
For R-1	: Mr.K.Suyambulinga Bharathi Government Advocate (Crl. Side)
For R-2	: Mr.S.Veluchamy

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.277 of 2016 on the file of the first respondent police.

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.Chelladurai, Special 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 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.277 of 2016 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.277 of 2016, on the file of the first respondent police, is quashed and the terms of Joint Compromise memo, dated 04.11.2019 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 and first respondent on or before **22.11.2019**, 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.277 of 2016.

Sd/-

Assistant Registrar(Records)

// True Copy //

Sub Assistant Registrar(CS)

vsd

ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

To

- 1.The Inspector of Police,
Elumalai Police Station,
Madurai.
- 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
The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

+1CC TO M/S.APN LAW ASSO., Advocate Sr. No.98373

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14.11.2019

SV2 (CO)
TR(18.11.2019) 3P 6C