



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD) No.13444 of 2017

and

Crl.M.P.(MD) No.9048 of 2017

P.Krishnasamy

... Petitioner/Sole Accused

.Vs.

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

... 1st Respondent/Complainant

2. R.Vellaisamy

... 2nd Respondent/
De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the impugned FIR in Crime No.686 of 2017 on the file of Sub Inspector of Police, Thoothukudi South Police Station, Thoothukudi and quash the same.

For Petitioner: Mr.C.Christopher

For R 1 : Mr.S.Chandrasekar,
Additional Public Prosecutor

For R 2 : Mr.J.Senthil Kumaraiah

O R D E R

This Criminal Original Petition has been filed to quash the F.I.R. in Crime No.686 of 2017, for the alleged offence under Sections 406, 418 and 420 of IPC, on the file of Sub Inspector of Police, Thoothukudi South Police Station, Thoothukudi.

2. The case is still in 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 has been signed by the petitioner and the second respondent and also their respective counsel. In order to identify the respective parties they have also produced the copy of the Aadhaar Card and the same is made part of the record. 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 case pending, 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 case in F.I.R. in Crime No.686 of 2017 on the file of Sub Inspector of Police, Thoothukudi South Police Station, Thoothukudi.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.686 of 2017, pending on the file of the learned Sub Inspector of Police, Thoothukudi South Police Station, Thoothukudi is hereby quashed and the terms of Memo of Compromise shall form part and parcel of this order. Consequently, connected Crl.M.P.(MD) No.9048 of 2017 is closed.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox copy of joint compromise memo

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To

1. The Sub Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.C.CHRISTOPHER, Advocate (SR-94949[F] dated 30/10/2019)

Order made in
Crl.O.P. (MD) No.13444 of 2017

Dated:
25.10.2019

KM/ (12.12.2019) 2P 4C