



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.16952 of 2019

WEB COPY

1. Kumaresan
2. Sundaraj ... Petitioners

Vs.

1.State rep. by
The Inspector of Police,
Keelavalavu Police Station
Madurai District

2.Thirumathi
3.Muthukumar ... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records of the FIR in Crime No. 214 of 2016 on the file of the first respondent police and quash the same.

For Petitioners : Mr.S.Sathya Chidambaram

For R-1 : Mr.R.Anandharaj
Additional Public Prosecutor

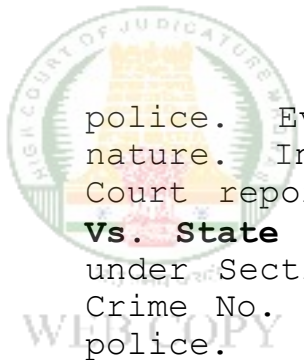
ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No. 214 of 2016, on the file of the first respondent police, for an alleged offences under Sections 452,294 (b),323,324,307 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 which have been signed by the petitioners and the second and third respondents and also by their respective counsel. The petitioners and the second and third respondents were also present in person before this Court and they were identified by Mr.R.Rajendran, 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No. 214 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. 214 of 2016, 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. 214 of 2016

Sd/-

Assistant Registrar (P AND A)

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox Copy of Joint Compromise Memo.

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To

1. The Inspector of Police,
Keelavalavu Police Station
Madurai 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.A.V.ARUN, Advocate (SR-99384[F] dated 19/11/2019)

+1 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate (SR-99385[F] dated 19/11/2019)

Crl.O.P. (MD) .No.16952 of 2019
19.11.2019

KK/SAR/20.11.2019/2P-6C/