



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
Cr1.O.P. (MD) .No.17051 of 2019

WEB COPY

Devendran ... Petitioner/Sole Accused
- Vs. -

1.State represented by
The Inspector of Police,
Samayapuram Police Station,
Trichy District,
Crime No.70 of 2019 ...1st Respondent/Complainant

2.Ramachandran ...2nd Respondent/Defacto Complainant

3.Sarasu

4.Ravichandran .. Respondents No.3 and 4 /Victims

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for records pertaining to FIR in crime No.70 of 2019 on the file of the 1st respondent police and quash the same as illegal.

For Petitioner : Mr.T.Lenin Kumar

For R-1 : Mr.R.Anantha Raj, APP

For R-2 to R4 : Mr.D.Venkatesh

ORDER

The Criminal Original Petition has been filed to quash FIR in crime No.70 of 2019 on the file of the 1st respondent police insofar as the petitioner is concerned.

2.The case is pending for investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3.A Joint Compromise Memo has been filed before this Court, which has been signed by the petitioner and the second respondent/defacto complainant, respondents 3 and 4/victims and also by their respective counsel. The petitioner and the respondents 2 to 4 were also present in person before this Court and their identity is also verified through Mr.V.Balakrishnan, 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 FIR pending before the 1st respondent. 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 criminal proceedings in crime No.70 of 2019 on the file of the 1st respondent police as against the petitioner.

5.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in crime No.70 of 2019 on the file of the 1st respondent police is quashed as against the petitioner alone and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioner 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 Madurai Bench of Madras High Court Registry), and file a photocopy of the receipt along with a memo reporting compliance before the Registry/1st respondent and the trial Court on or before 27.11.2019, failing which, this order automatically stands cancelled without further reference to this Court and the 1st respondent can proceed with the investigation in crime No.70 of 2019.

Sd/-

Assistant Registrar (P AND A)

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox Copy of Joint Compromise Memo.

Arul

To

1.The Inspector of Police,
Samayapuram Police Station,
Trichy 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.T. LENIN KUMAR, Advocate (SR-99824[F] dated 20/11/2019

+1 CC to M/s.D. VENKATESH, Advocate (SR-99825[F] dated 20/11/2019)

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