



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.17072 of 2019

1.Joseph Pelsy
2.Sarles Peski
3.Ananth @ Jebastin Ananth
4.Anbazhagan @ Gana Anbazhagan
5.Joice
6.Surenthar @ Angel Surendar ... Petitioners/Accued Nos.1 to 6

- Vs. -

1.The State represented by
The Inspector of Police,
Valliyoor Police Station,
Tirunelveli District,
Crime No.287 of 2017 ... 1st Respondent/Complainant
2.Jose Disla ... 2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to quash the FIR in crime No.287 of 2017 dated 29.08.2017 pending on the file of the 1st respondent police.

For Petitioners : Mr.G.Thalaimutharasu

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

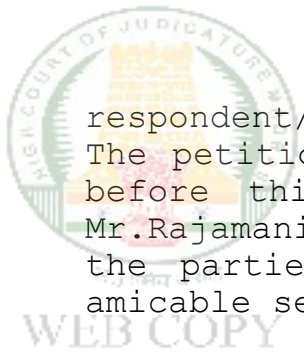
For R-2 : Mr.P.Veerapandi

ORDER

The Criminal Original Petition has been filed to quash FIR in crime No.287 of 2017 on the file of the 1st respondent police insofar as the petitioners are 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 petitioners and the second



respondent/defacto complainant and also by their respective counsel. The petitioners and the 2nd respondent were also present in person before this Court and their identity is also verified through Mr.Rajamani, 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.287 of 2017 on the file of the 1st respondent police as against the petitioners.

5.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in crime No.287 of 2017 on the file of the 1st respondent police is quashed as against the petitioners and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioner jointly 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.287 of 2017.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

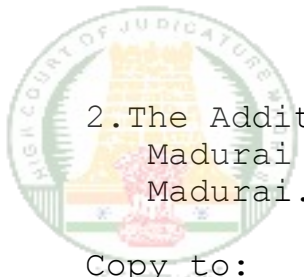
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Encl:

Xerox Copy of the Joint Compromise Memo

To

1.The Inspector of Police,
Valliyoore Police Station,
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.G. THALAI MUTHARASU, Advocate (SR-99701[F] dated
20/11/2019)

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JMN(20.11.2019) 3P : 5C