



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**
Crl.O.P. (MD) .No.17370 of 2019

M.Aiysha

... Petitioner

Vs.

1.The Inspector of Police,
Ambasamudram Police Station
Tirunelveli District
(Crime No.251 of 2019)

2.Saik Partheen @ A.Sheik Fardeen ... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the case in Crime No. 251 of 2019 on the file of the first respondent herein and quash the same.

For Petitioner : Mr.N.Pragalathan

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. side)

For R-2 : Mr.K.Muthurakkan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No. 251 of 2019, on the file of the first respondent police, for an alleged offences under Sections 406 and 420 of IPC.

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 petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.Issac Bala, SSI 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. 251 of 2019 pending on the file of the first respondent police.

5. It is represented by the learned counsel for the petitioner that the petitioner paid 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 filed the original cash receipt along with this memo on 25.11.2019. The said submission is placed on record.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.251 of 2019, 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.

Sd/-

Assistant Registrar()

// True Copy //

Sub Assistant Registrar(CS)

aav

ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

To

1.The Inspector of Police,
Ambasamudram 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.

+1CC TO MR.N.PRAGALATHAN, Advocate Sr. No. 101061

Cr1.O.P. (MD) .No.17370 of 2019
25.11.2019

SVN(CO)

TR(26.11.2019) 2P 5C