



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD).No.17281 of 2019

WEB COPY

Muthu Kumar ... Petitioner/Sole Accused

Vs.

1.The Inspector of Police
Muthaiahpuram Police Station,
Thoothukudi,
Thoothukudi District
(Cr.No.73/2018) ...1st Respondent/Complainant

2.Muthukrishnan ...2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records and quash the FIR in Cr.No.73/2018 dated 06.04.2018 on the file of the Inspector of Police, Muthaiahpuram Police Station, Thoothukudi, Thoothukudi Dt., pursuant to the compromise arrived at by the parties.

For Petitioner : Mr.A.Thiruvadikumar

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

For R-2 : Mr.S.Vinayak

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.73 of 2018, dated 06.04.2018, on the file of the Inspector of Police, Muthaiahpuram Police Station, Thoothukudi, Thoothukudi District, pursuant to the compromise arrived at by the parties.

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.P.Ramachandran, 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 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 Gujraht)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.73 of 2018 pending on the file of the first respondent police.

5. It is represented by the learned counsel for the petitioner that the petitioner already 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 photocopy of the receipt along with this memo, on 22.11.2019. The said submission is placed on record.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the F.I.R in Crime No.73 of 2018, 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 (Crl Side)

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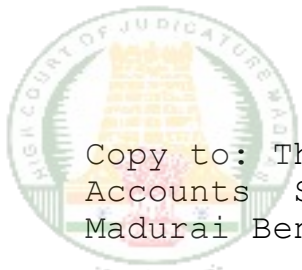
Sub Assistant Registrar(CS)

Ls

Encl:Xerox Copy of Joint Compromise Memo.

To

1. The Inspector of Police
Muthaiahpuram Police Station,
Thoothukudi,
Thoothukudi 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 Mr. A.THIRUVADIKUMAR ,Advocate, SR.No. 100878

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KK/SAR/25.11.2019/3P-5C/