



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.12.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Cr1.O.P. (MD) .No.17801 of 2019

Murugan

..Petitioner

Vs.

1.The State Represented by,
Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.
(Crime No.255 of 2019).

2. Antony Robert

... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records and quash the FIR in Crime No. 255 of 2019 dated 28.08.2019 registered for the offence under Section 341, 294(b), 387 and 506(ii) of IPC, on the file of the Inspector of Police, Pudukottai Police Station, Thoothukudi District pursuant to the compromise arrived at between the parties.

For Petitioner : Mr.A. Thiruvadi Kumar

For R1 : Mr.S.Chandra Sekar
Additional Public Prosecutor

For R2 : Mr.S.Vinayak

O R D E R

The Criminal Original Petition has been filed to quash the FIR in Crime No. 255 of 2019 dated 28.08.2019 registered for the offence under Section 341, 294(b), 387 and 506(ii) of IPC, on the file of the Inspector of Police, Pudukottai Police Station, Thoothukudi District pursuant to the compromise arrived at between 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. The defacto complainant has also filed an affidavit stating that it is a case of Mistaken identity and the petitioner had never indulged in criminally intimidating him nor there was any



extortion by him.

4.A Joint Memo of Compromise has been filed before this Court, which have been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.M. Narayanan, SSI. 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, 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. 255 of 2019.

5.It is represented by the learned counsel for the petitioner that the petitioner has paid a sum of Rs.5000/- (Rupees Five thousand only) as costs to the Credit of the Anbagam, Madurai and filed the original cash receipt along with this memo on 13.12.2019. The said submission is placed on record.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No. 255 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(Crl Side)

// True Copy //

Sub Assistant Registrar(CS)

ksa

To

ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

1. The Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



Copy to
The Officer Incharge,
Anbagam, Madurai.

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+1 CC to M/s.M/S.A.THIRUVADI KUMAR, Advocate (SR-105192[F] dated
16/12/2019)

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SVN(CO)
TR(18.12.2019) 3P 5C