



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.17415 of 2019

WEB COPY

Y. Mariaponnu ... Petitioner/Accused
Vs.

1.The Inspector of Police,
Ettayapuram Police Station
Thoothukudi District ...1st Respondent/Complainant

2.K.Vijayalakshmi ... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to Crime No.83 of 2018 on the file of the first respondent and quash the same as illegal

For Petitioner : Mr.M.Maria Vinola
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. side)
For R-2 : M/s.J.Bala Meenakshi

ORDER

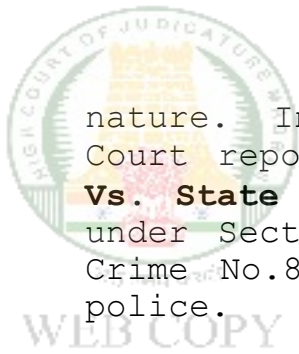
The Criminal Original Petition has been filed to quash the proceedings in Crime No.83 of 2018, on the file of the first respondent police, for an alleged offences under Sections 448,354,294(b) of IPC and Section 4 of TNPHW Act.

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 learned Government Advocate(Crl.Side) submitted that the respondent police has completed the investigation and filed final report before the learned Judicial Magistrate No.II, Kovilpatti and the same has been taken cognizance in C.C.No.190 of 2018

4.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.Veerapadhiran, SSI of Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5.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.83 of 2018 pending on the file of the first respondent police.

6. 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.

7. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.83 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. Since the First Information Report in Crime No.83 of 2018 itself is quashed the proceedings in C.C. No.190 of 2018 on the file of the learned Judicial Magistrate No.II, Kovilpattai is also quashed insofar as the petitioner alone.

Sd/-

Assistant Registrar (W)

/ True Copy /

Sub Assistant Registrar (CS-)

Encl: Xerox copy of Joint Compromise Memo

To

1.The Judicial Magistrate No.II, Kovilpatti

2.The Inspector of Police,
Ettayapuram Police Station, Thoothukudi District

3.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.M. MARIA VINOLA,Advocate(SR-101181[F] dated 26/11/2019)

Crl.O.P. (MD) .No.17415 of 2019
25.11.2019

aav

ES/26.11.2019/2P/6C

<https://hcservices.ecourts.gov.in/hcservices/>