



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2019

CORAM:

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

Crl.O.P. (MD) .No.17675 of 2019

Gopalakrishnan

... Petitioner / Sole Accused

Vs.

State through by

1.The Inspector of Police

Thalaiyuthu Police Station,

Tirunelveli District.

(Crime No.256 of 2018) ... 1st Respondent / Complainant

2.Chandrasekar

...2nd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the FIR in Crime No.256 of 2018, dated 15.08.2018, on file of the first respondent and quash the same.

For Petitioner : Mr.C.Susikumar

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

For R-2 : Mr.R.Maheswaran

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No. 256 of 2018, on the file of the first respondent police, for an alleged offences punishable under Section 379 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.M.Arumugam, 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 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. 256 of 2018, pending on the file of the first respondent police.

5. It is represented by the learned counsel for the petitioners that the petitioners 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 29.11.2019. The said submission is placed on record.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No. 256 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 (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

(Enclose Xerox Copy of Joint Compromise Memo)

1.The Inspector of Police
Thalaiyuthu Police Station, Tirunelveli District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.C.SUSI KUMAR, Advocate (SR-103202[F] 03/12/2019)

Copy to:

The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court, Madurai.

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29.11.2019

das

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