



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE **G.K. ILANTHIRAIYAN**
Crl.O.P. (MD) .No.17832 of 2019

Kandasamy ... Petitioner/Sole accused
Vs.

1. The State

By the Inspector of Police,
Edayakottai Police Station
Dindigul District. ... 1st Respondent/Complainant

2. Rangasamy ... 2nd Respondent/Defacto Complainant

3. Palaniammal ... 3rd Respondent/Injured

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to Crime No. 69 of 2019 on the file of the first respondent police and quash the same.

For Petitioner : Mr.D. Venkatesh

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

For R2 & R3 : Mr.T.Lenin Kumar

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No. 69 of 2019 on the file of the first respondent police for the offences under Sections 294(b) and 323 of IPC on the file of the 1st Respondent police as against the petitioner.

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.Palanichamy, S.S.I of police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

<https://hcservices.ecourts.gov.in/hcservices/>
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. 69 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 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 also filed the original receipt along with this agreement, on 28.11.2019. The said submission is placed on record.

6. Accordingly, this Criminal Original Petition is allowed and as a sequel, the F.I.R in Crime No. 69 of 2019, on the file of the first respondent police, is quashed and the terms of joint compromise agreement shall form part and parcel of this order.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

To

1. Inspector of Police,
Edayakottai Police Station
Dindigul 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.D.VENKATESH, Advocate Sr. No. 102584

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