



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2019

CORAM:

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

Cr1.O.P. (MD) .No.17859 of 2019

WEB COPY

1. Malairajan
2. Pandian
3. Murugan
4. Pandian
5. Mookan
6. Selvamani
7. Chandran

... Petitioners/A-1 to A-7

Vs.

- 1.The Inspector of Police,
Mayiladumparai Police Station
Theni District.
(Crime No. 73 of 2019)

... 1st Respondent/Complainant

2. Muthaiah

... 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. 73 of 2019 on the file of the first respondent police and quash the same.

For Petitioner : Mr.R. Gandhi

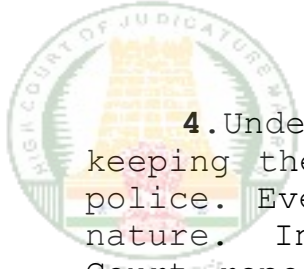
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Cr1. Side)

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.73 of 2019 for the offences under Sections 417, 420, 419, 465, 471 and 468 of IPC on the file of the 1st Respondent police as against the petitioners.

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 petitioners 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 the 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No. 73 of 2019 pending on the file of the first respondent police.

5. It is represented by the learned counsel for the petitioners that the petitioners 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. 73 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. The Inspector of Police,
Mayiladumparai Police Station
Theni District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
3. The Section Officer, Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.R.GANDHI, Advocate Sr. No. 102509

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