

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2020

CORAM:

THE HON'BLE MR. JUSTICE P. RAJAMANICKAM

Crl.O.P.No.2689 of 2020

P.Thamarai Selvam

... Petitioner/Sole Accused

Vs.

1.The Inspector of Police,
B-6, Vadapathimangalam Police Station,
Thiruvarur District,
(Crime No.174 of 2019) ... Respondent/Complainant

2.D.Parthasarathi ... Respondent/Defacto-Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.174 of 2019, on the file of the first respondent/complainant to quash the same in view of the compromise entered into both parties.

For Petitioner : Mr.P.Muthamizh Selvakumar
For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to call for the records in Crime No.174 of 2019, on the file of the first respondent/complainant to quash the same in view of the compromise entered into both parties.

2.The second respondent/defacto-complainant, who is the Head Master of the Government High School Vadapathimangalam, has lodged a complaint against the petitioner and based on the same, the first respondent has registered an FIR in Crime No.174 of 2019 under Sections 294(b), 353, 448, 506(i) of IPC.

3.The case is still in the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4.A joint memo of Compromise, dated 10.02.2020, has been filed before this Court which has been signed by the petitioner and the 2nd respondent and also by their respective counsel. The petitioner and the 2nd respondent also present in person before this Court. This Court also enquired both the parties and 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 case 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 Case in Crime No.174 of 2019 on the file of the first respondent police.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.174 of 2019 on the file of the first respondent, is hereby quashed and the terms of Memo of Compromise shall form part and parcel of this order.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ebsi/ah

To

1.The Inspector of Police,
B-6, Vadapathimangalam Police Station,
Thiruvavur District,
(Crime No.174 of 2019)

2.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.P.Muthamizh Selvakumar, Advocate, sr 10244

Cr1.O.P.No.2689 of 2020

SSD (CO)
AT (22/05/2020)