



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2020

CORAM:

WEB COPY

THE HONOURABLE **MR. JUSTICE A.D. JAGADISH CHANDIRA**

Crl.O.P. (MD)No.855 of 2020

1.D.Rajadurai
2.R.Esakkimuthu
3.K.Prabakaran

... Petitioners/Accused Nos.1 to 3

Vs.

1.State through
The Inspector of Police,
Karivalamvanthanallur Police Station,
Thirunelveli District.
(In Crime No.426 of 2019)

... Respondent No.1/De jure
Complainant

2.M.Muthiah

... Respondent No.2/De facto
Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Cr.P.C., to call for the entire records connected with the case in crime No.426 of 2019 pending on the file of the respondent police and quash the same as illegal with regard to the petitioners are connected.

For Petitioners : Mr.S.Malaikani

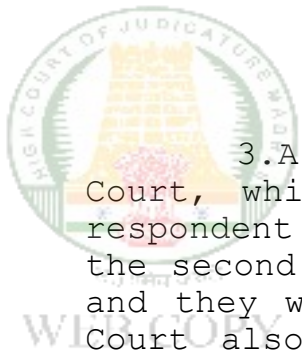
For R1 : Mrs.S.Bharathi,
Government Advocate(Crl.side)

For R2 : Mr.A.Abdul Kabur

ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.426 of 2019, on the file of the first respondent police, for the offences punishable under Sections 294(b), 323, 341 and 506(ii) 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 petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.C.Palanikumar, Head Constable. 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, 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.426 of 2019.

5.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.426 of 2019, 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. the petitioners jointly shall pay a sum of Rs.5,000/- as costs, to the credit of the Hands of Compassion, Ayathampatti, Alagarkovil, Madurai and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Post this matter on 29.01.2020 for reporting compliance.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gns

Encl:

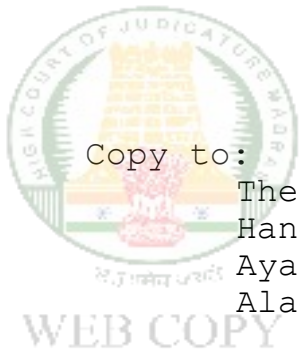
Xerox copy of the Joint Compromise Memo

To

1.The Inspector of Police,
Karivalamvanthanallur Police Station,
Thirunelveli District.

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

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



Copy to:

The Officer-in-Charge,
Hands of Compassion,
Ayathampatti,
Alagar Kovil, Madurai.

CrI.O.P. (MD) No.855 of 2020
22.01.2020

JMN (28.01.2020) 3P : 4C