



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.01.2020**

CORAM:

WEB COPY

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

Crl.O.P.[MD].No.1274 of 2020

1.M.Muthuselvam
2.M.Thangamariappan : Petitioners / Accused Nos.1 & 2
Vs.

1.State Rep. by
The Sub-Inspector of Police,
Kulathur Police Station,
Thoothukudi District.
(Crime No.59 of 2019) : 1st Respondent / Complainant

2.M.Ramesh : 2nd Respondents / De facto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the case in Crime No.59 of 2019, on the file of the first respondent and quash the same.

For Petitioners : Mr.K.Dinesh
for Mr.N.S.Karthikeyan

For R-1 : Mrs.S.Bharathi
Government Advocate (Crl.Side)

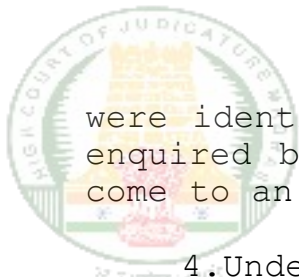
For R-2 : Mr.B.Ramanathan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.59 of 2019, on the file of the first respondent, for the offences punishable under Sections 294(b) and 323 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 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.P.Iruthayaraj, SSI of 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, 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.59 of 2019.

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 Hands of Compassion, 8/262, Ayathampatti, Alagarkovil, Madurai and filed the original cash receipt along with this memo on 24.01.2020. The said submission is placed on record.

6.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.59 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.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

(Encl. Xerox copy of Joint Compromise Memo)

- 1.The Sub-Inspector of Police,
Kulathur Police Station,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.N.S.KARTHIKEYAN, Advocate (SR-2983[F] dated 24/01/2020)

Crl.O.P.[MD].No.1274 of 2020
24.01.2020

sj i

SDS (11.02.2020) 2P-4C

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