



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2020

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P. (MD) .No. 1093 of 2020

Nithish @ Nithis Kumar

... Petitioner/A-5

Vs.

1. The State Rep. by
The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
(Crime No. 243 of 2018).

...R-1/Complainant

2. Manikandan

...R-2/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the entire records in relating to the impugned FIR in Crime No.243/2018 on the file of the 1st respondent and to quash the same in so far as the petitioner is concerned.

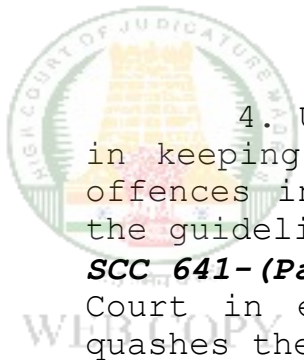
For Petitioner	: Mr.M.S. Jeyakarthik
For R-1	: Mrs. S. Bharathi,
	Government Advocate (crl. Side)
For R-2	: Mr.S. Vijayakumar

O R D E R

This Criminal Original Petition is filed to quash the impugned FIR in Crime No.243/2018 on the file of the 1st respondent police for the offences under Sections 147, 341, 294(b), 323 & 506 (1) of IPC, in so far as the petitioner is concerned.

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 petitioners and the second respondent were also present in person before this Court and they were identified by Mr.M.Thangarajan, SSI. 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.243 of 2018.

5. It is represented by the learned counsel for the petitioner that the petitioner has paid a sum of Rs. 5000/- (Rupees Five thousand only) as costs to the Credit of the Indian Association for the Blind and filed the original cash receipt along with this memo on 03.02.2020. The said submission is placed on record.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.243 of 2018, 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-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Ksa

Encl: Xerox copy of joint compromise memo

To

1. The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.M.S.JEYAKARTHIK, Advocate (SR-4692[F] dated 04/02/2020)

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03.02.2020

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