



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.01.2020

CORAM:

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

Crl.O.P.(MD).No.1200 of 2020

WEB COPY

1.A.Sheik @ Mohamed Sheik

2.M.Ansar

3.Thameem @ Shahul Hameed

.. Petitioners/Accused 1 to 3

Vs.

1.State through,

The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.

(In Crime No.51 of 2019)

...First Respondent/Complainant

2.A.Kaja Mydeen

... 2nd Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the entire records connected with the case in Crime No.51 of 2019 pending on the file of the respondent Police and quash the same as illegal with regard to the petitioner is concerned.

For Petitioners

: Mr.A.Abdul Kabur
for I.Sabeer Mohamed

For R1

: Mrs.S.Bharathi
Government Advocate (Crl. Side)

For R2

: Mr.M.Nizamudeen

O R D E R

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.51 of 2019 pending on the file of the first respondent Police, for the offences punishable under Sections 294(b), 323, 324 and 506(ii) 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.S.Venkatesh, 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.46 of 2019.

5. It is represented by the learned counsel for the petitioner that the petitioner paid a sum of Rs.5,000/- (Rupees Five thousand only) as costs to the Credit of IAB Trust and filed the original cash receipt along with this memo on 30.01.2020. The said submission is placed on record.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.51 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-I)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

Encl:Xerox copy of compromise memo
vsg
To

1. The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.

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

+1 CC to Mr.I.SABEER MOHAMED, Advocate (SR-4441[F] dated
03/02/2020)

Crl.O.P. (MD).No.1200 of 2020
30.01.2020

KM/(12.02.2020) 2P 4C

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