



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P.(MD).No. 1769 of 2020

WEB COPY

1. P.S.A. Akkaiyasamy
2. Nagalakshmi
3. Brindharajan @ Rajarathinam
4. Karthik @ Karthikeya Raja ... Petitioners/A-1 to A-4

Vs.

1. The State Rep. by
The Inspector of Police,
S.S. Colony Police Station,
Madurai City.
(Crime No. 1053 of 2019). ...R-1/Complainant
2. Ramanathan ...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 relating to the FIR in Crime No.1053 of 2019 on the file of the 1st respondent and to quash the same as the matter is amicably settled between parties.

For Petitioners : Mr.R. Gandhi

For R-1 : Mr. S. Chandrasekar,
Additional Public Prosecutor

For R-2 : Mr.K. Kubendran

O R D E R

This Criminal Original Petition is filed to quash the impugned FIR in Crime No.1053 of 2019 on the file of the 1st respondent police for the offences under Sections 294(b), 323, 506 (i) of IPC as against the petitioners.

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.R. Mariappan, 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.1053 of 2019.

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 04.02.2020. The said submission is placed on record.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.1053 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 (Crl Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



Ksa

Encl:Xerox Copy of Joint Compromise Memo.

To

1. The Inspector of Police,
S.S. Colony Police Station,
Madurai City.

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

+1 CC to M/s.R.GANDHI, Advocate (SR-4936[F] dated 06/02/2020)

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KK/SAR/18.02.2020/3P-4C/