



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.02.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**  
Crl.O.P.[MD].No.2988 of 2020

WEB COPY

John Xavier De Britto : Petitioner / Sole Accused  
Vs.

- 1.The State Rep. by  
The Inspector of Police,  
Nainarkovil Police Station,  
Ramanathapuram District.  
(Crime No.166 of 2019) : 1<sup>st</sup> Respondent / Complainant  
2.Panchavarnam : 2<sup>nd</sup> Respondent / Defacto Complainant  
3.Manthaiyan : 3<sup>rd</sup> Respondent / Victim

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records relating to the impugned FIR in Crime No.166 of 2019, on the file of the 1<sup>st</sup> respondent police and quash the same.

For Petitioner : Mr.R.Murugan  
For R-1 : Mrs.S.Bharathi  
Government Advocate (Crl. side)  
For R-2 & R3 : Mr.M.Chinnathambi

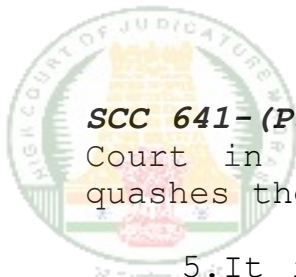
**ORDER**

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.166 of 2019, on the file of the first respondent police, for the offences punishable under Sections 279 and 337 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 petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by M/s.K.V.Meenachi Ayyan, 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.166 of 2019.

5.It is represented by the learned counsel for the petitioner that the petitioner paid a sum of Rs.3,000/- (Rupees Three Thousand only) as costs to the Credit of the Rojavanam Old Age Home, Uthangudi, Malur Road, Madurai and filed the original cash receipt along with this memo on 20.02.2020. The said submission is placed on record.

6.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.166 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)

Encl: Xerox copy of Compromise Memo

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To

1.The Inspector of Police,  
Nainarkovil Police Station,  
Ramanathapuram District.

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

+1 CC to M/s.R.MURUGAN, Advocate ( SR-7445[F] dated 20/02/2020 )

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20.02.2020

SMA/02/03/2020/2P/4C