



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.02.2020**

CORAM:

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

Crl.O.P.[MD].No.3065 of 2020

Ramasubbu

: Petitioner

Vs.

1.The Deputy Superintendent of Police,
Srivilliputtur, Virudhunagar District.

2.State Through,
The Inspector of Police,
Watrap Police Station,
Virudhunagar District.
In Crime No.239 of 2019

3.Periyasamy

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in Crime No.239 of 2019, dated 29.08.2019, on the file of the 2nd respondent police and quash the same in respect of petitioner/A2.

For Petitioner : Mr.V.Thirumal

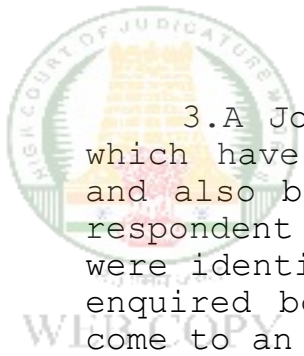
For R-1 and R-2 : Mrs.S.Bharathi
Government Advocate (Crl. side)

For R-3 : Mr.G.Silambarasan

ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.239 of 2019, dated 29.08.2019, on the file of the 2nd respondent police, for the offences punishable under Sections 294(b), 506(1) and 505(2) of IPC, Sections 65, 66A and 67 of the Information Technology Act, 2000 and Sections 3(1)(r) and 3(1)(s) of the SC/ST (Prevention of Atrocities) Act, 1989.

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 third respondent and also by their respective counsel. The petitioner and the third respondent were also present in person before this Court and they were identified by Mr.P.Chellapandian, SI 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.239 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 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.239 of 2019, on the file of the second respondent police, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Sji

Encl: Xerox copy of joint compromise memo
To

1.The Deputy Superintendent of Police,
Srivilliputtur, Virudhunagar District.

2.The Inspector of Police,
Watrap Police Station,
Virudhunagar District.



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

+1 CC to Mr.V.THIRUMAL, Advocate (SR-7441[F] dated 20/02/2020)

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CrI.O.P.[MD].No.3065 of 2020
20.02.2020

VB(05.03.2020) 3P 5C