



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.02.2020**

CORAM:

WEB COPY

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

Crl.O.P.[MD].No.3184 of 2020

- 1.Sivarajan
- 2.Sudhakar @ Suthagar
- 3.Benakar @ Benagar
- 4.Amarnath
- 5.Vijay @ Vijayan
- 6.Sathiya
- 7.Thangavijay

: Petitioners/Accused No.1 to 7
Vs.

- 1.The State Rep. by
The Inspector of Police,
Suchindram Police Station,
Kanyakumari District.
In Crime No.120 of 2019.

- 2.Jones Raj
- 3.Suyambulingam

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the FIR in Crime No.120 of 2019, dated 17.03.2019, under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC, on the file of the first respondent police and quash the same as illegal.

For Petitioners : Mr.G.Anto Prince

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

For R-2 and R-3 : Mr.S.Karuppiah

ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.120 of 2019, on the file of the first respondent police, for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(2) 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 respondents 2 and 3 and also by their respective counsel. The petitioners and the respondents 2 and 3 were also present in person before this Court and they were identified by Mr.J.Thangappan, 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.120 of 2019.

5.It is represented by the learned counsel for the petitioners that the petitioners paid a sum of Rs.5,000/-(Rupees Five Thousand only) as costs to the Credit of M.S.Chellamuthu Trust and Research Foundation, 643, K.K.Nagar, Madurai and filed the original cash receipt along with this memo on 24.02.2020. The said submission is placed on record.

6.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.120 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 ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Sji

Encl: Xerox copy of Joint Compromise Memo

To

1.The Inspector of Police,
Suchindram Police Station,
Kanyakumari District.

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



M.S.Chellamuthu Trust and Research Foundation,
643, K.K.Nagar, Madurai .

+1 CC to M/s.G.ANTO PRINCE, Advocate (SR-8060[F] dated 25/02/2020)

CrI.O.P.[MD].No.3184 of 2020
24.02.2020

VB(09.03.2020) 3P 5C