



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2020

CORAM:

WEB COPY

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

**Crl.O.P.[MD] No.3726 of 2020**

**and**

**Cr1.M.P[MD]No.2027 of 2020**

Gopikrishnan

: Petitioner

vs.

1.The Inspector of Police,  
Samayanallur Police Station,  
Samayanallur,  
Madurai.

2.Aravamuthan

3.Ezhilarasan

: Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records pertaining to the First Information Report in Crime No.290 of 2016 on the file of 1<sup>st</sup> respondent police Samayanallur Police Station, Madurai District and quash the same insofar as the petitioner is concerned.

For Petitioner

: Mr.B.Vinothkumar

For Respondents

: Mrs.S.Bharathi

Govt. Advocate (crl.side) (for R1)

Mr.K.Ramanathan (for R2 & R3)

### ORDER

This Criminal Original Petition is filed to quash the FIR in Crime No.290 of 2016 on the file of the first respondent police, Samayanallur Police Station, Madurai District under Sections 147, 294(b), 323, 506(i) 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 has been signed by the petitioner and the second and third respondents and also by their respective counsel. The petitioner and the second and third respondents were also present in person before this Court and they were identified by Mr.V.Madavan, (SSI)



Samayanallur Police Station. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4.The learned counsel for the petitioner would submit that the petitioner has not involved in the occurrence. However, the defacto complainant presuming that the petitioner is also one among the accused had give a false complaint implicating the name of the petitioner also. Now coming to know that the petitioner was not involved in the occurrence, the de-facto complainant has compromised the matter with the petitioner and he has also filed an affidavit stating that the petitioner/A5 was not involved in the occurrence and that he has wrongly implicated the name of the petitioner.

5.The learned counsel appearing for the second respondent/defacto complainant and the third respondent would submit that the petitioner/A5 was not involved in the occurrence and the defacto complainant coming to know that the petitioner was not involved in the occurrence, has filed an affidavit stating that the petitioner was not involved in the occurrence.

6.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.290 of 2016.

7.It is represented by the learned counsel for the petitioner that the petitioner paid a sum of Rs.2000/-(Rupees Two Thousand only) as costs to the Credit of the High Court Legal Services Committee, Madurai Bench of Madras High Court and filed the original cash receipt along with this memo today. The said submission is placed on record.

8.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.290 of 2016, on the file of the first respondent police, is quashed insofar as the petitioner is concerned and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (AS)

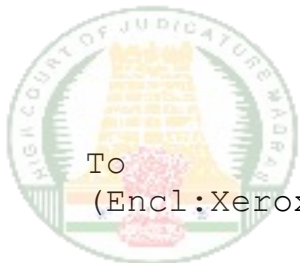
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/ /2020

Sub Assistant Registrar(CS)

skn

<https://hcservices.ecourts.gov.in/hcservices/>



To  
(Encl:Xerox copy of joint memo of compromise)

- 1.The Inspector of Police,  
Samayanallur Police Station,  
Samayanallur,  
Madurai.
- 2.The Additional Public Prosecutor  
Madurai Bench of Madras High Court,  
Madurai.

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AP(04/06/2020) 3P 3C