



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.02.2020

CORAM:

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

Crl.O.P. (MD) No.3405 of 2020

1. Iyappan
2. Durai @ Duraisingh
3. Ranjith @ Ranjith Kumar ... Petitioners/Accused

Vs.

1. State represented by
The Inspector of Police,
Kurumbur Police Station,
Thoothukudi District. ... 1st Respondent/Complainant
2. Perumal ... 2nd Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 Cr.P.C., to quash the FIR in Crime No.123 of 2019, dated 23.12.2019 pending on the file of the first respondent police.

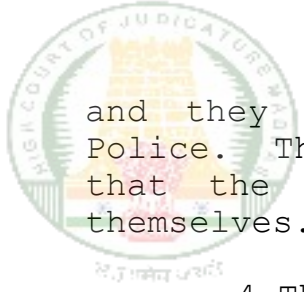
For Petitioners : Mr.M.Pandian
For R1 : Mrs.S.Bharathi
Government Advocate (Crl. side)

ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.123 of 2019, on the file of the first respondent police, for the offences punishable under Sections 294(b), 323 and 506(ii) IPC.

2. The learned Government Advocate (Crl. side) appearing for the respondent police would submit that investigation has been completed and the final report has been filed before the concerned Court. However, he would submit that final report has not been taken on file. 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.A.Sesu Raja, Head Constable of Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4.This Court is of the opinion that investigation has been completed and the final report has been filed, since now that the matter has been compromised between the parties, no useful purpose will be served by keeping the proceedings pending.

5.Under such circumstances, no useful purpose will be served in keeping the First Information Report and other proceedings 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.123 of 2019.

6.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 the M.S.Chellamuthu Trust & Research Foundation, Madurai and filed the original cash receipt along with this memo on 26.02.2020. The said submission is placed on record.

7.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.123 of 2019, on the file of the first respondent police and further proceedings pursuant to the crime No.123 of 2019, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Gns

Encl: Xerox copy of Joint Compromise Memo.

To

1.The Inspector of Police,
Kurumbur Police Station,
Thoothukudi District.



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

+1 CC to Mr.M.PANDIAN, Advocate (SR-8559[F] dated 26/02/2020)

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VB (22.07.2020) 3P 4C