



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.02.2020**

CORAM:

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

Crl.O.P.(MD) No. 3798 of 2020

1. Sivasubramaniyam
2. Mahalakshmi
3. Murugan
4. Paulraj ... (Wrongly mentioned in FIR as Balusamy)
5. Kumarasan
6. Mahalingam
7. Selvam
8. Thangapandi ... Petitioners/A-1 to A-8

Vs.

1. The Inspector of Police
Avaniyapuram Police Station,
Madurai City.
in Crime No. 758 of 2017... R1/Complainant
2. Manimuthu ... R-2/Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to the FIR in Crime No. 104 of 2019 pending on the file of the first respondent police station and quash the same as illegal as the matter has been amicably settled between the parties.

For Petitioners	: Mr.V. Vishnu
For R1	: Mrs.S.Bharathi, Government Advocate (crl. Side)
For R2	: Mr.M. Ponaravindhi

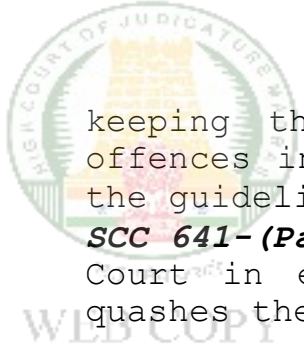
ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No. 104 of 2019, pending on the file of the first respondent police station as against the petitioners for the offences under Sections 406, 420, 120B and 506 (i) 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 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.C. Pandi, S.S.I. 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.104 of 2019.

5.It is represented by the learned counsel for the petitioners that the petitioners have paid a sum of Rs.10,000/- (Rupees Ten Thousand only) as costs in favour of Dist. Siddha Medical officer, CCRI PKM, and filed the original cash receipt along with this memo on 28.02.2020. The said submission is placed on record.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.104 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 (ADII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Ksa

encl: xerox copy of joint memo of Compromise

To

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

CrI.O.P.(MD)No. 3798 of 2020
28.02.2020

KB(12.06.2020) 2P 3C