



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) .Nos. 3860 & 3866 of 2020

Crl.O.P. (MD) .No. 3860 of 2020

1. Ravichandran
2. Rajendran
3. Udyakumar
4. Vellaisamy
5. Sutharsan

...Petitioners/A1 to 5
Vs.

- 1.The Inspector of Police,
Kanyakumari Police Station,
in Crime No. 38 of 2015,
Kanyakumari District.

...R-1/Complainant

2. Deepan @ Pradeep

...R-2/Defacto complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records relating to the FIR in Crime No. 38 of 2015 dated 19.01.2015 on the file of the first respondent and quash the same.

For Petitioner : Mr.R. Maheswaran

For R1 : Mr.S.Bharathi
Government Advocate (crl. side)

For R2 : Mr.C. Susikumar

Crl.O.P. (MD) .No. 3866 of 2020

1. Sudhan @ Jesuraj
2. Ushen @ Ushenthiran
3. Sarujan
4. Deepan @ Pradeep
5. Partheeban
6. Chinnathambi @ Sathyaraj
7. Mani @ Manivannan
8. Vessli

..Petitioners/Accused
Nos.1 to 8

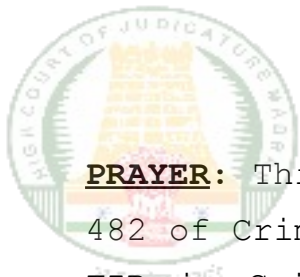
Vs.

- 1.The Inspector of Police,
Kanyakumari Police Station,
In Crime No.37 of 2015,
Kanyakumari District.

...R-1/Complainant

2. Jeevaranjini

...R-2/Defacto complainant



PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for records relating to the FIR in Crime No. 37 of 2015 dated 19.01.2015 on the file of the first respondent and quash the same.

For Petitioners : Mr.C. Susikumar
For R1 : Mr.S.Bharathi
Government Advocate (crl. side)
For R2 : Mr.R. Maheswaran

COMMON ORDER

These Criminal Original Petitions have been filed to quash the FIR in Crime Nos. 38 & 37 of 2015 on the file of the first respondent police as against the petitioners.

2.The cases are 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. The Joint Memo of Compromise have been filed before this Court, which have been signed by the petitioners and the private respondents and also by their respective counsel. The petitioners and the private respondents were also present in person before this Court and they were identified by Mr.T.M. Gandhi, SSI. 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 Reports 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime Nos. 38 & 37 of 2015.

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 to the Credit of the High Court Legal Services Committee and filed the original cash receipts along with this memo on 28.02.2020. The said submission is placed on record.

6. Accordingly, these Criminal Original Petitions are allowed and as a consequence, the proceedings in Crime Nos. 38 & 37 of 2015, on



the file of the first respondent police, are quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (Records)

WEB COPY

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ksa

ENCL : Xerox copy of Joint Compromise Memo.

To

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

Copy to :

The Officer in Charge,
Legal Services Committee,
Madurai Bench of Madras High Court, Madurai.

+ 2cc to Mr. C.SUSIKUMAR,Advocate, SR No.9801,9802

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KK(07.07.2020) 3P 6C