



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.09.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

WEB COPY

CrI.O.P.[MD]No.4994 of 2020

1.S.Jegan @ Jimmy Carton Antony

2.R.Suresh @ Arockia Antony Raj

3.Antonyraj : Petitioners Accused Nos.1 to 3

Vs.

1. State Represent through the
Inspector of Police,
South Thamaraikulam Police Station,
South Thamaraikulam,
Kanyakumari District. : Respondent No.1/Complainant
(In Crime No.146 of 2019)

2.Xavier : Respondent No.2/ Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned FIR in Crime No.146 of 2019, on the file of the first respondent Police and quash the same.

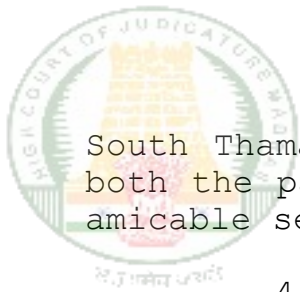
For Petitioners : Mr.G.Aravinthan
For R1 : Mr.R.Erottuchamy
Government Advocate (Criminal side)
For R2 : Mr.K.Sivabalan

O R D E R

The Criminal Original Petition has been filed seeking the relief to call for the records pertaining to the impugned FIR in Crime No.146 of 2019, on the file of the first respondent Police and quash the same.

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 through video conferencing and they were identified by Mr.Raja Britto, Inspector of Police, South Thamaraikulam Police Station,



South Thamaraikulam, Kanyakumari District. 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. Furthermore, the offences involved are not compoundable in nature. Hence, 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. 146 of 2019.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.146 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 (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

tsg

Enclose: Xerox Copy of Joint Compromise Memo.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

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

Crl.O.P.[MD]No.4994 of 2020
22.09.2020

AC(CO)

CS(06.10.2020) 2P 3C

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