



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2020

CORAM:

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

Crl.O.P.(MD)No.8908 of 2020

1.Kanagaraj

2.Shanmugathai

: Petitioners/Accused Nos.1 & 2

Vs.

1.The State represented by
The Inspector of Police,
Thoothukudi Central Police Station,
Thoothukudi District.

(In Crime No.205 of 2018) : 1st Respondent/Complainant

2.Arumuganainar

: 2nd Respondent/Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the case registered in First Information Report in Crime No.205 of 2018 on the file of the first respondent and quash the same as illegal.

For Petitioners	: Mr.J.Lawrance
For R1	: Mr.APG.Ohm Chairma Prabhu Government Advocate(Crl.Side)
For R2	: Mr.Aayiram K. Selvakumar

O R D E R

The Criminal Original Petition has been filed to quash the First Information Report registered in Crime No.205 of 2018, for the offences punishable under Sections 323, 324, 294(b), 427, 506(i) of I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, dated 28.06.2018 on the file of the first respondent police.

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.Anandharajan, Inspector of Police, South Police Station, Thoothukudi Town, Thoothukudi 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.205 of 2018.

5.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.205 of 2018, 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 (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Rm

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,
Thoothukudi Central Police Station,
Thoothukudi District.

Copy to: The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.J.LAWRENCE, Advocate (SR-14926[F] dated 25/08/2020)

CrI.O.P. (MD)No.8908 of 2020
25.08.2020

CS: 02.09.2020 2P 4C