



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Crl.O.P. (MD)No.9105 of 2020

WEB COPY

- 1.Periyakaruppan
- 2.Pandi
- 3.Umadevi
- 4.Surya
- 5.Rasu
- 6.Chellammal

: Petitioners / A1 to A6

Vs.

1. The State Rep. by
The Sub-Inspector of Police,
Austinpatti Police Station,
Madurai District. : 1st Respondent Complainant
(Cr.No.190/2017)

2. Devi : 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to FIR in Crime No.190 of 2017 dated 18.04.2017, on the file of the Sub-Inspector of Police, Austinpatti Police Station, Madurai District and quash the same as against the petitioners.

For Petitioners	: Mr.P.Prasath
For R-1	: Mr.A.P.G. Ohm Chairma Prabhu Govt.Advocate (Crl.Side)
For R-2	: Mr.D.Rameshkumar

O R D E R

This Criminal Original Petition has been filed to quash the case registered in Crime No.190 of 2019 pending on the file of the Sub-Inspector of Police, Austinpatti Police Station, Madurai District, for the offence punishable under Sections 147, 294(b), 336 and 323 of IPC., r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

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 has been signed by the petitioners, second respondent and also by their respective counsels. The petitioners and the second respondent were also present in person before this Court through



video conferencing and they were identified by the Sub-Inspector of Police, Austinpatti Police Station, Madurai 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, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court in **(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)**, reported in **(2017 (9) SCC 641)**, this Court, in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the First Information Report in Crime No.190 of 2017 pending on the file of the first respondent Police.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, FIR in crime No.190 of 2017 pending 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 (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

MPK

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.

Enclose: Xerox Copy of Joint Compromise Memo.

To

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

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