



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2020

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P. (MD) .No.19457 of 2019

- 1.Pappali @ Sivakumar
- 2.Vathu Nagaraj
- 3.Nagaraj
- 4.Vijayaragavan
- 5.Balamurali
- 6.Kanakaraj
- 7.Ashok Kumar
- 8.Ponraj
- 9.Vijayaragavan
- 10.Sivanantham
- 11.Rajkumar
- 12.Rajapandi

..Petitioners/Accused Nos.1 to 12

Vs.

- 1.The Inspector of Police,
Pandalgudi Police Station,
Virudhunagar District.
(Crime No.146 of 2018)

...1st Respondent/Complainant

- 2.Krishnasamy ... 2nd Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, call for the records pertaining to the above FIR in Crime No.146 of 2018 on the file of the Pandalgudi Police Station, Virudhunagar District and quash the same.

For Petitioners : Mr.G.Karuppasamy Pandian

For R1 : Mrs.S.Bharathi
Government Advocate (Crl. Side)

For R2 : Mr.M.Senthil Ayyanar

O R D E R

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.146 of 2018 dated 11.16.2018 on the file of the first respondent, for the offences punishable under Sections 147, 148, 341, 294 (b), 323 and 506 (ii) 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. Except the 5th petitioner, the other petitioners and the second respondent were also present in person before this Court and they were identified by Mr.S.Meenatchisundaram, Special Sub Inspector 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 Gujraht)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.146 of 2018.

5.It is represented by the learned counsel for the petitioners that the petitioners paid a sum of Rs.5000/-(Rupees Five thousand only) as costs to the Credit of the Hands of Compassion (The Home for mentally ill people), and filed the original cash receipt along with this memo on 06.01.2020. The said submission is placed on record.

6.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the First Information Report in Crime No.146 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(CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

dss

ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

To

1.The Inspector of Police,
Pandalgudi Police Station,
Virudhunagar District.



2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.SENTHIL AYYANAR, Advocate (SR-856[F] dated
08/01/2020)

Cr1.O.P. (MD) .No.19457 of 2019
08.01.2020

TR(27.01.2020) 3P 4C