



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2021

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THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P (MD) No.3275 of 2021

1.S.Mariappan

2.M.Sivaseshan

... Petitioners / Accused No.1 & 2
Vs.

1.The State rep by the
Inspector of Police,
District Crime Branch Police Station,
Virudhunagar District.

2.V.Meenakshi Sundharam ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the impugned FIR in Crime No.5/2019 dated 06.08.2019 on the file of the first respondent police and quash all the further proceedings pending upon the same.

For Petitioners	: Mr.N.Karthik Kanna
For R1	: Mr.K.Sanjai Gandhi
	Government Advocate (Crl. side)
For R2	: Mr.K.Kannan

ORDER

Heard both sides.

2.This Criminal Original Petition has been filed to quash the First Information Report in Crime No.05 of 2019 on the file of the first respondent police, for the offence punishable under Sections 406, 420, 465, 467, 468, 506(ii) and 34 of IPC.

3.Even though the case has been registered for the offence under Sections 406, 420, 465, 467, 468, 506(ii) and 34 of IPC, the enquiry with the parties reveals that because of the poverty situation of the defacto complainant and believing the words of the accused, the defacto complainant has given a sum of Rs.9,18,050/- for securing the job, but later the accused has not given him. The entire amount that has been paid by the



defacto complainant has been repaid and the matter has been compromised between the parties and the said amount has also been received by the defacto complainant.

4.The second respondent/defacto complainant as well as the petitioners/accused 1 and 2 are present before this Court and they are identified by the respective learned counsel and both the parties have filed joint compromise memo stating that the matters in issue between them has been amicably resolved and therefore, the second respondent / defacto complainant is not willing to prosecute the case and therefore would pray for quashing the First Information Report.

5.The compromise memo is filed before this Court and the parties are also present at the learned Additional Public Prosecutor office and their identity has also been verified through video conference. Since the matters in issue has been compromised between the parties, no purpose will be served in keeping the First Information Report pending.

6.In the result, by recording the compromise, this Criminal Original Petition is allowed and the proceedings in Crime No.05 of 2019, on the file of the first respondent police is quashed. The joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

Note:(i) 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:

(Encl: Joint Compromise Memo)

1.The Inspector of Police,
District Crime Branch Police Station,
Virudhunagar District



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

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Cr1.O.P (MD) No.3275 of 2021
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DJ(CO)
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