



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**
Crl.O.P.(MD).No.3516 of 2022

WEB COPY

1. Muthamalai @ Murugan
2. Malaiyandi
3. Marisenthil

... Petitioners/Accused 1 to 3.

Vs.

- 1.State rep. by
The Inspector of Police,
Muthiahpuram Police Station,
Thoothukudi District

... 1st Respondent/Complainant

2. Eswari

... 2nd Respondent/
Defacto Complainant

- 3.Gomathi @ Revathi

... 3rd Respondent/Victim

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in FIR in Crime No.132 of 2021 on the file of the first respondent and quash the same.

For Petitioners : Mr.V.Selvakumar

For R-1 : Mr.R.M.Anbunithi
Additional Public Prosecutor

For R2 and R3 : Mr. Santha Suresh

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No. 132 of 2021 , on the file of the first respondent police, for an alleged offences under Section 366 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. The parties appeared before this Court and they were identified by their respective counsels.



4. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending before the respondent police. 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.132 of 2021 pending on the file of the first respondent police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.132 of 2021, on the file of the first respondent police, is quashed insofar as the petitioners alone and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Encl: Photocopy of Compromise Memo attached.

To

1. The Inspector of Police,
Muthiahpuram Police Station,
Thoothukudi District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CrI.O.P. (MD) .No.3516 of 2022
21.02.2022

MGJ(04.03.2022) 2P 3C