



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL OP(MD). No.437 of 2022
and CRL.M.P. (MD)No.331 of 2022

1. Dhilipkumar

2. Baranidharan ...Petitioners/Accused Nos.1 & 2

Vs

1. The State represented by
The Inspector of Police,
Kumbakonam Taluk Police Station,
Thanjavur District.
(Cr.No.126 of 2019) ... 1st Respondent / Complainant

2. P.R.Saravanakumar ... 2nd Respondents / Defacto complainant

PRAYER :- This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the records in Crime No. 126 of 2019 on the file of the respondent police and quash the same as against the petitioners.

For Petitioners : Mr.S.Sankar

For Respondent : Mr.R.M.Anbunithi
R1 Additional Public Prosecutor

R2 : Mr.M.Silambarasan

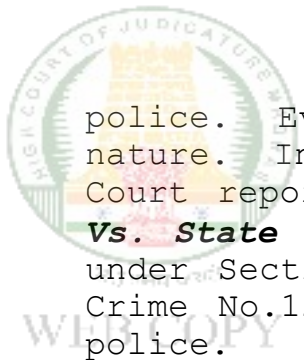
ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No. 126 of 2019 on the file of the first Respondent.

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.

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 Gujarath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.126 of 2019 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.126 of 2019, 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. The petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) each as costs, to the credit of **Government of Tamil Nadu, CMPRF in IOB**, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172), on or before 06.04.2022 and the receipt of payment shall be produced before the first respondent police, failing which the order shall stand dismissed automatically without any further reference to this Court. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

Encl.: 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 State represented by
The Inspector of Police,
Kumbakonam Taluk Police Station,
Thanjavur District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



Copy to
The Officer Incharge,
Chief Ministers Public Relief Fund,
Finance(CMPRF) Department,
Government of Tamil Nadu,
Secretariat, Chennai 600 009.

ORDER IN
CRL OP(MD) No.437 of 2022
and CRL.M.P. (MD) Nos.331 of 2022
Date : 28/03/2022

smu (CO)
TR(01.04.2022) 3P 4C