



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2022

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WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.3001 of 2022

- 1.Rajaram
- 2.Arun @ Arun Babu
- 3.Mathan @ Madhan
- 4.Karnan @ Karan

... Petitioners /
Accused Nos.1 to 4

Vs.

- 1.The State represented by
The Inspector of Police,
Illayangudi Police Station,
Sivagangai District.
(Crime No.392 of 2021)

... 1st Respondent/
Complainant

- 2.Dinakaran @ Thinakaran

... 2nd Respondent/
Defacto Complainant

- 3.Muniyasamy

... 3rd Respondent/
Victim

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records relating to FIR in Crime No.392 of 2021 dated 12.09.2021, on the file of the Inspector of Police, Ilayangudi Police Station, Sivagangai District and quash the same as against the petitioner.

For Petitioners : Mr.T.Veerakumar

For Respondents : R.M.Anbunithi
Additional Public Prosecutor (Crl.Side)
for R.1
N.Jeyaram Siddharth for R.2 & R.3

ORDER

The Criminal Original Petition has been filed to quash the FIR as against the petitioners in Crime No.392 of 2021 on the file of the first respondent for the alleged offences under Sections 341, 294(b), 324 and 506(2) IPC.



2. The case is under 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 and the second respondent and also by their respective counsel.

4. Under such circumstances, no useful purpose will be served in keeping the FIR in Crime No.392 of 2021 pending on the file of the first respondent, 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 FIR in Crime No.392 of 2021.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.392 of 2021 pending on the file of the first respondent is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) as costs, to the District Siddha Medical Officer, CCRI, Periyakulam in State Bank of India, Periyakulam Branch bearing Account No.10767823177, IFSC No.SBIN000898, MICR Code No.625002601, on or before 10.03.2022 and the receipt of payment shall be produced before the 1st respondent police, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

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. Inspector of Police,
Illayangudi Police Station,
Sivagangai District.

2. The District Siddha Medical Officer, CCRI, Periyakulam.

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

Crl.O.P(MD)No.3001 of 2022
25.02.2022

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TR(01.03.2022) 3P 4C