



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P(MD)No.2845 of 2022

WEB COPY

1.Murugan

2.Radha

... Petitioners/

Accused Nos.1 & 2

Vs.

1.The Inspector of Police

All Women Police Station

Colachel,

Kanyakumari District

(Crime No.18 of 2021)

... 1st Respondent/

Complainant

2.Suvitha

... 2nd Respondent/

Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records in Crime No.18 of 2021 on the file of the first respondent police and to quash the same as against the petitioners on the basis of the Joint Compromise Memo, dated 02.12.2021 filed between the Petitioners and the second respondent.

For Petitioners : Mr.M.R.Sreenivasan

For Respondents : Mr.Anbunithi

Additional Public Prosecutor (CrI.Side)
for R.1

Mr.A.Arul Jenifer for R.2

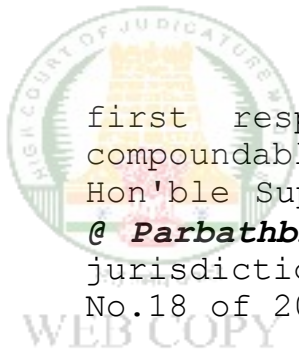
ORDER

The Criminal Original Petition has been filed to quash the FIR as against the petitioners in Crime No.18 of 2021 on the file of the first respondent for the alleged offences under Sections 498(A), 406 and 494 IPC and Sections 3(1) and 4 of Dowry Prohibition Act.

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.18 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the FIR in Crime No.18 of 2021.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.18 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 first 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

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.

ENCL:Xerox Copy of Memo of Compromise.

To

- 1.The Inspector of Police
All Women Police Station
Colachel, Kanyakumari District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:

The District Siddha Medical Officer,
CCRI, Periyakulam in State Bank of India, Periyakulam Branch

+1 CC to M/s.M.R.SREENIVASAN, Advocate (SR-8871[F] dated 25/02/2022)

CrI.O.P(MD)No.2845 of 2022

25.02.2022

KS(CO)GC(01.03.2022) 2P 5C

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