



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P. (MD) .No.2594 of 2022

WEB COPY

- 1.Subash
- 2.Indumathi
- 3.Lakshmi
- 4.Ilavarasan

...Petitioners/Accused 1 to 4

Vs.

- 1.The Assistant Commissioner of Police,
Palayamkottai,
Tirunelveli District.

- 2.The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.
(Crime No.31 of 2022)

...1st and 2nd Respondent/Complainants

- 3.Kavitha
- ...3rd Respondent/defacto complainant

- 4.Alwar
- ...4th Respondent/Victim

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records of FIR in Crime No.31 of 2022 on the file of the second respondent and quash the same.

For Petitioners : Mr.V.Angusamy

For R-1 & R2 : Mr.B.Thanga Aravindh
Government Advocate(Crl.Side)

For R3 & R4 : Mr.M.Sakthivinayagam

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in Crime No.31 of 2022 on the file of the second respondent police, for an alleged offences under Sections 294(b), 323, 324 and 506(2) of IPC and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Amendment Act 2015.



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 third and fourth respondents 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No. 31 of 2022 pending on the file of the respondent police.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.31 of 2022, on the file of the second 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.5000/- (Rupees Five Thousand only) as costs, to the High Court Legal Services Authority, Madurai Bench of Madras High Court, Madurai, on or before 18.02.2022.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

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 Assistant Commissioner of Police,
Palayamkottai,
Tirunelveli District.



2.The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.

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

Copy to
The Officer-in-Charge,
High Court Legal Services Committee,
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.V.ANGUSAMY, Advocate (SR-5590[F] dated 11/02/2022)

Crl.O.P. (MD) .No.2594 of 2022
10.02.2022

SR(CO)
TR(17.02.2022) 3P 6C