



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.2490 of 2022

WEB COPY

1.Kadar Batcha
2.Mohamed Ameer Badhusha
3.Mohamed Arshath ... Petitioners/Accused Nos.1 to 3

Vs.

1.State represented through,
The Inspector of Police,
Melapalayam Police Station,
Tirunelveli City,
(In Crime No.1160 of 2020). ... 1st Respondent/Complainant

2.Sidiq Ali ... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records of the impugned First Information Report in Crime No.1160 of 2020 on the file of the first respondent Police Station and quash the same/Accused Nos.1 to 3 as illegal.

For Petitioners : Mr.A.ABDUL KABUR, Advocate
For R - 1 : Mr.B.THANGA ARAVIND
Government Advocate (Crl. Side)

For R - 2 : Mr.S.MANOJ KUMAR, Advocate

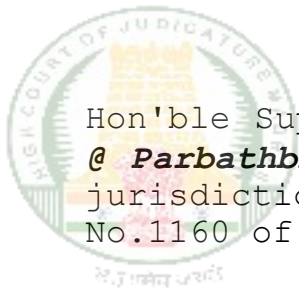
ORDER

The Criminal Original Petition has been filed to quash the proceedings as against the petitioners/Accused Nos.1 to 3 in Crime No.1160 of 2020 on the file of the first respondent for the alleged offences under Sections 147, 294(b), 324, 323 and 506(ii) I.P.C.

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.1160 of 2020 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.1160 of 2020.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.1160 of 2020 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 High Court Legal Services Authority, Madurai Bench of Madras High Court, Madurai, on or before 11.02.2022.

Sd/-
Assistant Registrar (Crl)

// True Copy //

10/02/2022
Sub Assistant Registrar(CS)

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 Inspector of Police,
Melapalayam Police Station,
Tirunelveli City.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

COPY TO:

The Secretary/Officer Incharge,
High Court Legal Service Authority,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P (MD)No.2490 of 2022
09.02.2022

SA (10.02.2022) 2P 4c