



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2022

CORAM:

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

Cr1.O.P. (MD) .No.3057 of 2022

and

Cr1.M.P (MD) No.2286 of 2022

WEB COPY

Sudalai @ Suresh

... Petitioner

Vs.

1.State rep. by

The Inspector of Police,
Surandai Police Station
Tenkasi District

2.Perananthasamy

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the FIR in Crime No.189 of 2019 dated 08.05.2019 on the file of the first respondent police for the offences under Sections 294(b), 332, 307 of IPC and Section 4(1)(i) of Tamil Nadu Prohibition Act and quash the same.

For Petitioner : Mr.KR.Bharathikannan

For R-1 : Mr.R.M.Anbunithi
Additional Public Prosecutor

For R2 : Mr.J.SivaKumar

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.189 of 2019 , on the file of the first respondent police, for an alleged offences under Sections 294(b), 332, 307 of IPC and Section 4(1)(i) of Tamil Nadu Prohibition Act.

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 petitioner 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.189 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.189 of 2019, on the file of the first respondent police, is quashed insofar as the petitioner alone and the terms of joint compromise memo shall form part and parcel of this order. The petitioner 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 17.02.2022. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

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Sub Assistant Registrar(CS)

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Encl.: Xerox copy of Joint Compromise Memo

To

1. The Inspector of Police,
Surandai Police Station
Tenkasi District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
3. The Officer Incharge,
Legal Service Authority,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD) .No.3057 of 2022
14.02.2022

VR(CO)

TR(15.02.2022) 2P 4C