



BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

DATED: 21.02.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.2564 of 2022

Krishnan

... Petitioner/Sole Accused

Vs.

1.The State represented by,
The Sub-Inspector of Police,
Thangachimadam Police Station,
Ramanathapuram,
Ramanathapuram District.
Crime No.60 of 2021.

... 1st Respondent/Complainant

2.Jerina Begam

... 2nd Respondent/Defacto complainant

3.XXXX,

D/o.XXXX,
No.96/b, Santhana Mariamman Kovil Street,
Rameswaram,
Ramanathapuram District.

... Victim Girl/
Defacto complainant's daughter

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in pursuant to the proceedings of F.I.R in Crime No.60 of 2021 on the file of the first respondent police and quash the same in respect of the petitioner as illegal.

For Petitioner : Mr.S.T.Sasidharan Tamilkani
For R - 1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)

For RR 2 & 3 : M/s.P.Banuprasath

ORDER

The Criminal Original Petition has been filed to quash the FIR as against the petitioner/sole accused in Crime No.60 of 2021 on the file of the first respondent for the alleged offence under Section 366(A) of 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 petitioner 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.60 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.60 of 2021.

5. As a sequel, the FIR in Crime No.60 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.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall produce the registration of the marriage certificate between the petitioner and the third respondent before the first respondent, within a period of two weeks from the date of receipt of a copy of this order, failing which, this order shall stand automatically dismissed without further reference to this Court and the trial Court is directed to proceed with the trial. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Deputy Registrar(LA & MC)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ps

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 Sub-Inspector of Police,
Thangachimadam Police Station,
Ramanathapuram,
Ramanathapuram District.

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

Copy to
The Judicial Magistrate,
Rameshwaram.

+1 CC to M/s.S.T.SASIDHARAN TAMILKANI, Advocate (SR-7900[F] dated
22/02/2022)

Order made in
Crl.O.P(MD)No.2564 of 2022
21.02.2022

RJ(CO)
TR(08.03.2022) 3P 5C