



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.2634 of 2022

Mahesh

... Petitioner/Sole Accused

Vs.

1.State Represented by,
The Sub Inspector of Police,
Asaripallam Police Station,
Kanyakumari District.
(Crime No.266 of 2021).

... 1st Respondent/Complainant

2.Kala

... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to the impugned FIR in Crime No.266 of 2021 on the file of the first respondent and quash the same.

For Petitioner	: Mr.C.MURUGESAN, Advocate
For R - 1	: Mr.B.THANGA ARAVINDH Government Advocate (Crl. Side)
For R - 2	: Mr.K.RAJESWARAN, Advocate

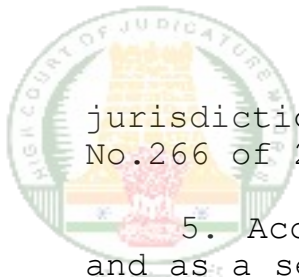
ORDER

The Criminal Original Petition has been filed to quash the FIR as against the petitioner/sole accused in Crime No.266 of 2021 on the file of the first respondent for the alleged offences under Sections 294(b), 324 and 506(ii) of I.P.C and Section 4 of TNPHW Act, 2002.

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.266 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 Gujrat)**, this Court in exercise of its



jurisdiction under Section 482 Cr.P.C. quashes the FIR in Crime No.266 of 2021.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.266 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 petitioner 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 23.02.2022.

Sd/-

Assistant Registrar (CS.I)

// True Copy //

22/02/2022

Sub Assistant Registrar(CS II)

Enclosure herewith copy of the 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 Sub Inspector of Police,
Asaripallam Police Station,
Kanyakumari District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

COPY TO:

THE DISTRICT SIDDHA MEDICAL OFFICER,
CCRI, PERIYAKULAM.

+1 cc to Mr.K.RAJESWARAN, Advocate, SR.No.8120 (Date:23/02/2022)

Order made in
Cr1.O.P(MD)No.2634 of 2022
21.02.2022

SA (22.02.2022) 2P 5c