



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) No.3261 of 2022

Jailani @ Abdul Kadar Jailani

...Petitioner/Accused

Vs.

1.The State represented by
the Inspector of Police,
SS Colony Police Station,
Madurai City.
Crime No.1/2022)

...1st Respondent/Complainant

2.Mohammed Shahil @ Mohamed Jakkil

...2nd Respondent/
Defacto Complainant

3.Mohamed Vaseem

4.Mohamed Yusouf

...Respondents 3&4/Victims

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records pertaining to Crime No.1 of 2022 dated 01.01.2022 on the file of the Inspector of Police, SS Colony Police Station, Madurai City and quash the same.

For Petitioner	:	Mr.D.S.Haroon Rasheed
For R-1	:	Mr.R.M.Anbunithi
		Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.1 of 2022 , on the file of the first respondent police, for an alleged offences under Sections 294(b), 323, 324 and 506(ii) of IPC.

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 respondents 2 to 4 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 Gujrat)**, this Court in exercise of its



jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.1 of 2022 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.1 of 2022, 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 23.02.2022.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

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

Enclose copy of Joint Compromise Memo.

1. The Inspector of Police,
SS Colony Police Station,
Madurai City.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

The Officer Incharge,
High Court Legal Services Authority,
Madurai Bench of Madras High Court,
Madurai.

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