



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2022

CORAM:

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

Crl.O.P. (MD) No.3139 of 2022

Pandiselvam

...Petitioner/Accused No.2

Vs.

1. The Inspector of Police
Manamadurai Police Station
Sivagangai District ... 1st Respondent / Complainant

2. Jeyaseelan ... 2nd Respondents / Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to record the Joint Compromise memo filed in Crl.O.P(MD) No.3139 of 2022 on the file of this Court and call for the records and quash the proceedings in Crime No.347 of 2016 on the file of the Manamadurai Police station, Sivagangai District and Quash the same.

For Petitioner : M/s.Balamuruganantham R

For Respondents : Mr.R.M.Anbunithi
No.1 Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to quash the proceedings in Crime No.347 of 2016 on the file of the Manamadurai Police station, Sivagangai District.

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.347 of 2016 pending on the file of the first respondent



5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.347 of 2016, 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 28.02.2022.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

22/02/2022

Sub Assistant Registrar(CS)

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ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

To

1. The Inspector of Police
Manamadurai Police Station
Sivagangai District
2. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

Copy to

The Officer-in-Charge,
High Court Legal Services Committee,
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.R.BALAMURUGANANTHAM, Advocate (SR-6121[F] dated 15/02/2022)

Cr1.O.P. (MD) No.3139 of 2022
15.02.2022

KM(CO)

TR(22.02.2022) 2P 5C