



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.3538 of 2022

WEB COPY

1. P.Sankar Kumar
2. Karuppuraja ... Petitioners/Accused No.1 & 2

Vs.

1.State rep. by
The Inspector of Police,
Thirupuvanam Police Station ... 1st Respondent/Complainant

2.Bose ... 2nd Respondent/
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the Crime No.14 of 2022 on the file of the first respondent and quash the same.

For Petitioners : Mr.M.Shakul Hameed

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

For R-2 : Mr.Mohammed Ibrahim.

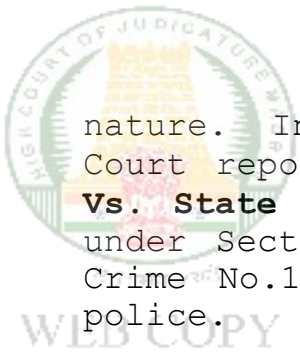
ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.14 of 2022 , on the file of the first respondent police, for an alleged offences under Section 379 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 petitioners and the second respondent and also by their respective counsel. The parties were present before this Court and they were identified by their respective counsels.

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.14 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.14 of 2022, on the file of the first respondent police, is quashed insofar as the petitioners alone and the terms of joint compromise memo shall form part and parcel of this order. The petitioners 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 III)

// True Copy //

22/02/2022

Sub Assistant Registrar(CS)

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Encl: Photocopy of Compromise Memo attached.

To

- 1.The Inspector of Police,
Thirupuvanam Police Station
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

COPY TO:

The District Siddha Medical Officer,
CCRI, Periyakulam

+2 CC to M/s.M.SHAKUL HAMEED, Advocate(SR-7350[F] dated 21/02/2022)

Cr1.O.P. (MD) .No.3538 of 2022
07.02.2022