



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.3465 of 2022

Ramesh

... Petitioner/Accused No.5

Vs.

1. The State represented by
The Inspector of Police,
Pettai Police Station,
Tirunelveli.

(Crime No.989 of 2020) ... 1st Respondent/Complainant

2. Perumal ... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records and quash the proceedings in Crime No.989 of 2020, pending on the file of the first respondent police, for alleged offences under Sections 147, 148, 294(b), 323 and 506 (ii) IPC.

For Petitioner : Mr.P.Samuel Gunasingh
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor
(Criminal Side)for R.1

Mr.R.Niresh Kumar for R.2

ORDER

The Criminal Original Petition has been filed to quash the FIR as against the petitioner/Accused No.5 in Crime No.989 of 2020 on the file of the first respondent.

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.989 of 2020 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.989 of 2020.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.989 of 2020 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 credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172) on or before 06.04.2022 and the receipt of payment shall be produced before the respondent police, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

Encl.: xerox copy of 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 Inspector of Police,
Pettai Police Station,
Tirunelveli.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



Copy to
The Officer Incharge,
Chief Ministers Public Relief Fund,
Finance(CMPRF) Department,
Government of Tamil Nadu,
Secretariat, Chennai 600 009.

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sj(CO)
TR(30.03.2022) 3P 4C