



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.3456 of 2022

Moideen Ibrahim ... Petitioner/Sole Accused

Vs.

1.State represented through,
The Inspector of Police,
SS Colony Police Station,
Madurai District.
(Crime No.197 of 2022) ... 1st Respondent/Complainant

2.Ameer Abbas ... 2nd Respondent/Defacto complainant

3.State represented through,
The Inspector of All Women Police,
South Police Station,
Madurai. ... 3rd Respondent

(R - 3 impleaded vide order dated
17.03.2022 in Crl.M.P(MD)No.2997 of 2022)

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C.,
to call for the records in Crime No.197 of 2022 on the file of the
first respondent and quash the same.

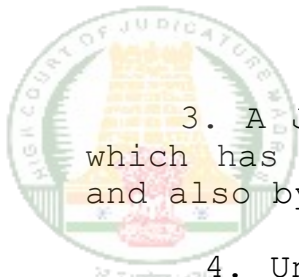
For Petitioner : Mr.S.Manoj Kumar
For RR 1 & 3 : Mr.R.M.Anbunithi
Additional Public Prosecutor

For R - 2 : Mr.S.M.A.Jinnah

ORDER

The Criminal Original Petition has been filed to quash the
FIR as against the petitioner/Sole Accused in Crime No.197 of 2022
on the file of the first respondent for the alleged offences under
Sections 7 and 8 of Protection of Child from Sexual Offences Act,
2012 and 506(1) of I.P.C.

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.197 of 2022 on the file of the first respondent, which has been subsequently transferred to the file of the third 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.197 of 2022.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No. 197 of 2022 on the file of the first respondent, which has been subsequently transferred to the file of the third 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 25.03.2022 and the receipt of payment shall be produced before the first respondent, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar (CRL. SIDE)

// True Copy //

/ /2022

Sub Assistant Registrar

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.

ENCL:XEROX COPY OF COMPROMISE MEMO

To

1.The Inspector of Police,
SS Colony Police Station,
Madurai District.

2.The Inspector of All Women Police,
South Police Station,
Madurai.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

4. The District Siddha Medical Officer,
CCRI, Periyakulam, Theni District.

Order made in
Crl.O.P (MD)No.3456 of 2022
17.03.2022

PS
MS/18.03.2022/3P.5C