



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 28.02.2022
CORAM
THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P (MD)No.3663 of 2022

WEB COPY

Siva Murugan

... Petitioner/
Sole Accused

Vs.

1. The State represented by
The Inspector of Police
Sathankulam Police Station
Thoothukudi District.
(Crime No.203 of 2021)

... 1st Respondent /
Complainant

2.Suresh

... 2nd Respondent /
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records and quash the FIR in Crime No.203 of 2021 on the file of the Inspector of Police, Sathankulam Police Station, Thoothukudi District, pursuant to the compromise arrived at between the parties.

For Petitioner : Mr.C.Suresh Kannan
For Respondents : Mr.B.Thanga Aravindh
Government Advocate(Crl.Side) for R.1
Mr.M.Fernand for R.2

ORDER

The Criminal Original Petition has been filed to quash the FIR as against the petitioner/Sole Accused in Crime No.203 of 2021 on the file of the first respondent for the alleged offences under Sections 294(b), 323 and 506(1) IPC.

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.203 of 2021 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.203 of 2021.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.203 of 2021 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 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 10.03.2022 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 (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

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 : Joint Compromise Memo enclosed herewith.

To

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

+1 CC to M/s.C.SURESH KANNAN, Advocate SR-9118

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