



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2022

CORAM:

THE HON'BLE MRS.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P. (MD)No.3856 of 2022

WEB COPY

Manthiramoorthy

... Petitioner/

Accused Rank Not known

Vs.

1. The State rep. by its
The Inspector of Police,
Thalaiyuthu Police Station,
Tirunelveli District.
(Crime No.389 of 2021)

... 1st Respondent/Complainant

2. Kaja Mydeen

... 2nd Respondent/
Defacto Complainant

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct to call for records and quash the FIR in Crime No. 389 of 2021 on the file of the Inspector of Police, Thalaiyuthu Police Station, Tirunelveli District.

For Petitioner	: Mr.S.Sundaraplandian
For R1	: Mr.R.M.Anbunithi
	Additional Public Prosecutor (Criminal Side)
For R2	: Mr.S.Muthukumar

ORDER

This Criminal Original Petition has been filed to quash the proceedings in Crime No. 389 of 2021, on the file of the first respondent police, for an alleged offences under Section 379 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 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 Gujraht), this Court in exercise of its jurisdiction



under Section 482 Cr.P.C. quashes the First Information Report in Crime No.389 of 2021 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.389 of 2021, 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.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 07.03.2022.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

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 Joint Compromise Memo

To:

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

COPY TO:

THE DISTRICT SIDDHA MEDICAL OFFICER,
CCRI, PERIYAKULAM

+1 CC to M/s.S.SUNDARAPANDIAN, Advocate (SR-9279[F]
dated 01/03/2022)

ORDER IN

Crl.O.P. (MD)No.3856 of 2022

28.02.2022

SRR(CO)

GC(03.03.2022) 2P 5C

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