



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.4642 of 2022

in

Crl.M.P(MD)No.3272 of 2022

1.Maria Sundar	... Petitioner No.1/Accused No.2
2.Johnson	... Petitioner No.2/Accused No.5
3.Mano	... Petitioner No.3/Accused No.6
4.Magesh	... Petitioner No.4/Accused No.7
5.Rabertsan Bosco	... Petitioner No.5/Accused No.8
6.Ravi	... Petitioner No.6/Accused No.11
7.Justin	... Petitioner No.7/Accused No.15
8.Johnson	... Petitioner No.8/Accused No.16
9.Maria Reeth	... Petitioner No.9/Accused No.18

Vs.

1.The Inspector of Police, Karungal Police Station, Kanyakumari District. (Crime No.362 of 2013)	... 1 st Respondent/Complainant
2.Amaladhas	... 2 nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for records relating to the FIR in Crime No.362 of 2013 on the file of the Karungal Police Station, Kanyakumari insofar as the petitioners are concerned and quash the same.

For Petitioners	: Mr.S.Anandha Rajagopal
For Respondents	: Mr.R.M.Anbunithi
	Additional Public Prosecutor (Crl.Side)
	for R.1
	Mr.M.Chandra Mohan for R.2



ORDER

This Criminal Original Petition has been filed to quash the FIR as against the petitioners in Crime No.362 of 2013 on the file of the first respondent.

WEB COPY

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 petitioners 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.362 of 2013 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.362 of 2013.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.362 of 2013 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 petitioners shall pay a sum of Rs.20,000/- (Rupees Twenty 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 23.03.2022 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AD-I)

// 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,
Karungal Police Station,
Kanyakumari 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.ANANDHA RAJAGOPAL, Advocate (SR-12114[F] dated 15/03/2022)

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SJ(CO)
TR(15.03.2022) 3P 5C