



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.4066 of 2022

and Crl.M.P(MD) No.2946 of 2022

1. Kumara Dhas

2. Sundaran

...Petitioners/Accused Nos. 1 & 2

Vs.

1. The Inspector of Police
Thakkalai Police Station
Kanyakumari District

... 1st Respondent / Complainant

2. Sunitha Kumari

... 2nd Respondents / Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to to call for the records pertaing to the FIR in Crime No.69 of 2022 dated 12.02.2022 for the offences under Sections 294 (b), 354, 323, 506(i) of IPC pending on the file of the first respondent and quash the same

For Petitioners	:	Mr.K.Suyambulinga Bharathi
For Respondents	:	Mr.R.M.Anbunithi
No.1	:	Additional Public Prosecutor
No.2	:	Mr.R.Anandaraaj

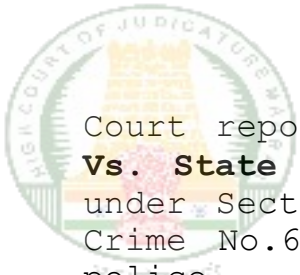
ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.69 of 2022 , on the file of the first respondent police.

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 petitioners 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.69 of 2022 pending on the file of the first respondent police.

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5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.69 of 2022, on the file of the first respondent police, is quashed and the terms of joint compromise memo shall form part and parcel of this order. The petitioners 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 on or before 11.03.2022 and produce the receipt before the first respondent police, failing which the order shall stand dismissed automatically without any further reference to this Court. Consequently connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

To

1. The Inspector of Police
Thakkalai Police Station
Kanyakumari District
2. The District Siddha Medical officer, CCRI, Periyakulam.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

Cr1.O.P.(MD) No.4066 of 2022
02.03.2022

KMV(CO)

TR(03.03.2022) 2P 4C