



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.4233 & 4234 of 2022

Crl.O.P. (MD)No.4233 of 2022

1. Infant Raja

2. Maniraj

...Petitioners/Accused Nos 1 & 2

in Crl.O.P(MD) No.4233 of 2022

Vs.

1. State represented by

The Inspector of Police,

Thoothukudi South Police Station,

Thoothukudi.

(Crime No. 936 of 2021)... Respondent/Complainant

in Crl.O.P(MD) No.4233 of 2022

2. Ajith Kumar

...2nd Respondent/Defacto Complainant

in Crl.O.P(MD) No.4233 of 2022

Crl.O.P. (MD)No.4234 of 2022

1. Vijayakumar

2. Vignesh

3. Ajithkumar

...Petitioners/Accused Nos 1 to 3

in Crl.O.P(MD) No.4234 of 2022

..vs..

1. State represented by

The Inspector of Police,

Thoothukudi South Police Station,

Thoothukudi.

(Crime No. 935 of 2021)... Respondent/Complainant

in Crl.O.P(MD) No.4234 of 2022

2. Infant Raja

...2nd Respondent/Defacto Complainant

in Crl.O.P(MD) No.4234 of 2022

Prayer: These Criminal Original Petitions filed under Section 482 Cr.P.C.to call for the records and quash the Crime Nos.936 of 2021 & 935 of 2021, on the file of first respondent police.

In Both Cases:

For Petitioners : Mr.M.Mano Kumar

For Respondents : Mr.R.M.Anbunithi

Additional Public Prosecutor (Criminal Side)
for R1

: Mr. J.Bebin Jose for R2



COMMON ORDER

These Criminal Original Petitions filed under Section 482 Cr.P.C. to call for the records and quash the Crime Nos.936 of 2021 & 935 of 2021, on the file of 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime Nos.936 of 2021 & 935 of 2021 pending on the file of the first respondent police.

5.These Criminal Original Petitions stands allowed and as a sequel, the proceedings in Crime Nos.936 of 2021 & 935 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 petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) each 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 16.03.2022 and the receipt of payment shall be produced before the first respondent police, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

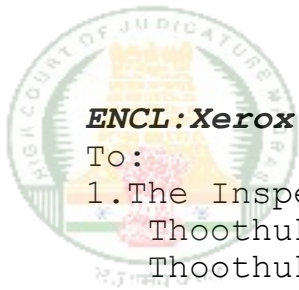
/ /2022

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.

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



ENCL:Xerox Copy of Joint Compromise Memo_

To:

1.The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi.

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

COPY TO:

THE DISTRICT SIDDHA MEDICAL OFFICER,
CCRI, PERIYAKULAM.

COMMON ORDER IN

Crl.O.P. (MD) Nos.4233 & 4234 of 2022

09.03.2022

sr(CO)

GC(14.03.2022) 3P 4C