



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.4070 of 2022

WEB COPY

1. Sundar
2. Dharma @ Vasanth Sharma ...Petitioners/Accused No. 1 & 2

Vs.

- 1.The State Rep.by
The Inspector of Police
Suchinduram Police Station
Kanyakumari District.
(Crime No.775 of 2020) ...Respondent/Complainant

2. Sudhakar ...Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to to call for the records in Crime No.775 of 2020 pending on the file of the first respondent and quash the same

For Petitioners : Mr.B.Michael Sebastin
For Respondents : Mr.R.M.Anbunithi
No.1 Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.775 of 2020, 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.775 of 2020 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.775 of 2020, 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.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

aav

ENCL:Xerox Copy of Joint Compromise Memo

TO

1. The Inspector of Police
Suchinduram 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.T.LAJAPATHI ROY, Advocate (SR-9793[F] dated 03/03/2022)
Crl.O.P.(MD) No.4070 of 2022
02.03.2022

kmv (CO)

GC(03.03.2022) 2P 5C