



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2022

CORAM:

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

Crl.O.P.(MD) No.4222 of 2022

WEB COPY

1. R.Murugesan

2. R.Ganesan

...Petitioners

Vs.

1. State rep. by
The Inspector of Police,
Nazereth Police Station,
Thoothukudi District.
(Crime No. 47 of 2022)

2. Erattaimuthu

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to admit the quash petition on file and to call for the records in Crime.No. 47 of 2022, on the file of the Nazereth Police Station, Thoothukkudi District and to quash the same.

For Petitioner: Mr.S.Senthil Sankara Natha Kumar

For R1 : Mr.R.M.Anbunithi
Additional Public Prosecutor

For R2 : Mr.T.Sathiyanathan

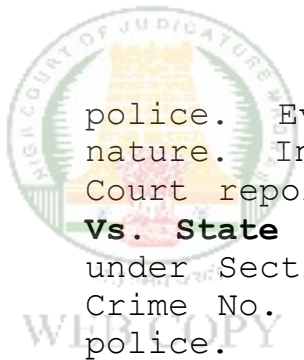
ORDER

This petition has been filed seeking a direction to admit the quash petition on file and to quash the proceedings in Crime.No. 47 of 2022, on the file of the Nazereth Police Station, Thoothukkudi District.

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. 47 of 2022 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.47 of 2022 , on the file of the first respondent police, is quashed insofar as the petitioners alone and the terms of joint compromise memo shall form part and parcel of this order. Further, the petitioners shall pay a sum of Rs.5,000/- 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 11.03.2022 and the receipt of payment shall be produced before the concerned Court, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

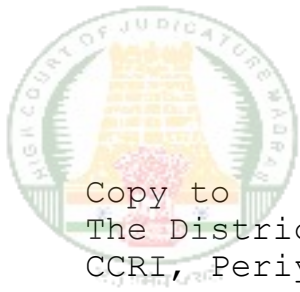
Encl.: xerox copy of joint Compromise memo.

lr

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,
Nazereth Police Station,
Thoothukudi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



Copy to
The District Siddha Medical Officer,
CCRI, Periyakulam.

WEB COPY

CrI.O.P. (MD) No.4222 of 2022
04.03.2022

KG (CO)
TR(15.03.2022) 3P 4C