



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2022

CORAM:

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

CRL OP(MD) . No.5138 of 2022

1. T.Sakkaiya,

2. S.Veerammal,

... Petitioners

Vs

1. The Deputy Superintendent Of Police,
Sivakasi Sub Divison, Sivakasi,
Viruthunagar District.

2. The Inspector of Police,
Sivakasi East Police Station, Sivakasi,
Viruthunagar District.
(Crime No.554/2021).

3. S.Vinoth Kumar,
S/o.Subramaniyan, North Street,
Milakaipatti, Kanniseri,
Viruthunagar District..

... Respondents

PRAYER :-This Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in pursuant to the proceedings of the case in Crime No.554/2021 on the file of R2 dt.15/12/2021 as against this petitioner/sole accused and quash the same as devoid of merits.

For Petitioner : M/s.Kanchammal M, Advocate.

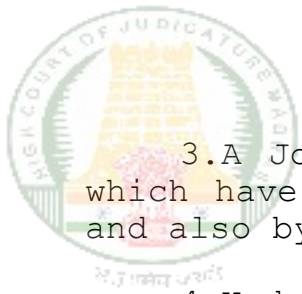
For Respondent : Mr.R,M.Anbunithi,
R1 & R2 Additional Public Prosecutor

R3 : Mr.S.Selvakumar, Advocate

ORDER

This Criminal Original Petition has been filed to quash the second Information Report in Crime No. 554 of 2021 on the file of the 1st Respondent.

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 third respondent and also by their respective counsel.

4.Under such circumstances, no useful purpose will be served in keeping the second 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 Gujarath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the second Information Report in Crime No.554 of 2021 pending on the file of the second respondent police.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.554 of 2021, on the file of the second respondent police, is quashed insofar as the petitioners 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 credit of **Government of Tamil Nadu, CMPRF in IOB**, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172), on or before 01.04.2022 and the receipt of payment shall be produced before the second respondent police, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar(P & A)

// True Copy //

29/03/2022

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.

TO

1.The Deputy Superintendent Of Police,
Sivakasi Sub Divison, Sivakasi,
Viruthunagar District.



2.The Inspector of Police,
Sivakasi East Police Station, Sivakasi,
Viruthunagar District.

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

Copy to
The Officer Incharge,
Chief Ministers Public Relief Fund,
Finance(CMPRF) Department,
Government of Tamil Nadu,
Secretariat, Chennai 600 009.

ORDER IN
CRL OP(MD) No.5138 of 2022
Date : 25/03/2022

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TR(29.03.2022) 3P 5C