



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2022

CORAM:

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

Crl.O.P.(MD) No.4614 of 2022

- 1.Gowtham
- 2.Raja
- 3.Rajesh ... Petitioners 1 to 3/Remanded Accused Rank not known
- 4.Nallusamy ...4th Petitioners/Accused No.4

Vs.

1. The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Melur Taluk,
Madurai District. ... 1st Respondent/Nil
2. The Sub Inspector of Police,
Keelavalavu Police Station,
Madurai District.
(Crime No.333 of 2018) ... 2nd Respondent / Complainant
3. Kaveri ... 3rd Respondent / Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records from the 1st respondent police F.I.R in Crime.No.333 of 2018, on the file of the Keelavalavu Police Station, Melur Taluk, Madurai District and quash the same as devoid of merits as far as petitioners are concerned.

For Petitioners : Mr.S.Atham Ali

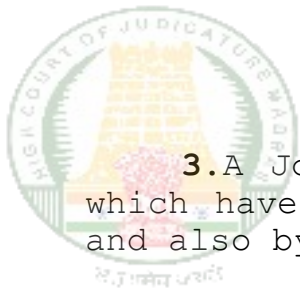
For Respondent : Mr.R.M.Anbunithi
No.1 & 2 Additional Public Prosecutor

For R3 : Mr.P.Suresh Kumar

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.333 of 2018 , on the file of the second 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 third 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.333 of 2018 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.333 of 2018, on the file of the second 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 18.03.2022 and produce the receipt before the second respondent police, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

To:

1. The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Melur Taluk,
Madurai District.
2. The Sub Inspector of Police,
Keelavalavu Police Station,
Madurai District.



3. The District Siddha Medical Officer,
CCRI, Periyakulam.

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

Cr1.O.P.(MD) No.4614 of 2022
10.03.2022

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TR(11.03.2022) 3P 5C