



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.4276 of 2022

1.Balachandran
2.Bharathi
3.Janaki

... Petitioners/Accused Nos.1 to 3

Vs.

1.The State represented by,
The Sub-Inspector of Police,
Kadayam Police Station,
Kadayam,
Tenkasi District.
(Crime No.393 of 2020) ... 1st Respondent/Complainant

2.L.Kalyani ... 2nd Respondent/Defacto complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in connection with Crime No.393 of 2020 on the file of the Sub-Inspector of Police, Kadayam Police Station, Kadayam, Tenkasi District and subsequently quash the same.

For Petitioners	: Mr.V.Mayakannan
For R - 1	: Mr.K.Sanjai Gandhi
	Government Advocate (Crl. Side)
For R - 2	: Mr.J.Pandi Dorai

ORDER

The Criminal Original Petition has been filed to quash the FIR as against the petitioners/Accused No.1 to 3 in Crime No.393 of 2020 on the file of the first respondent for the alleged offences under Sections 294(b), 323 and 324 of I.P.C and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.

2. The case is under 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 has 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 FIR in Crime No.393 of 2020 pending on the file of the first respondent, 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 FIR in Crime No.393 of 2020.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.393 of 2020 pending on the file of the first respondent is quashed and the terms of Joint Memo of Compromise 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 25.03.2022 and the receipt of payment shall be produced before the first respondent, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

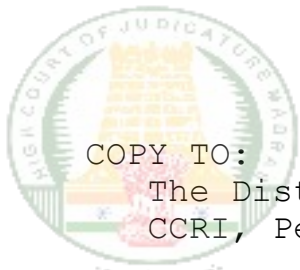
Sub Assistant Registrar

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.

ENCL:XEROX COPY OF COMPROMISE MEMO

To

- 1.The Sub-Inspector of Police,
Kadayam Police Station,
Kadayam,
Tenkasi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



COPY TO:

The District Siddha Medical Officer,
CCRI, Periyakulam.

+2 CC to M/s.V.MAYAKANNAN, Advocate (SR-12846[F] dated 18/03/2022)

Order made in
CrI.O.P (MD) No.4276 of 2022
17.03.2022
1/2

PS

MS/PN/SAR-1/18.03.2022/2P.6C