



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2022

CORAM:

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

Crl.O.P.(MD)No.4348 of 2022

1. Sathiyendran

2. Sathish

...Petitioners/Accused No 1&2

Vs.

1. The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
(in Crime No.342 of 2011)

...Respondent/Complainant

2. Vairasundharam

...2nd Respondent/Defacto
Complainant

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the records pertaining to the case in Crime No.342 of 2011 on the file of the 1st respondent police and quash the same in so far as this petitioner concern Accused No.1 and 2.

For Petitioner : Mr.S.Pradeep
For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor
(Criminal Side) for R1
: Mr.B.Arun for R2

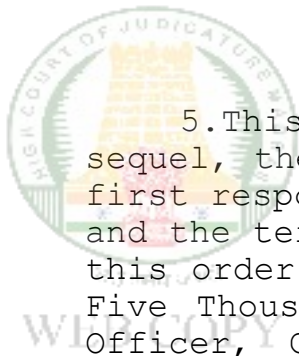
ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No. 342 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 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.342 of 2021 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.342 of 2021, 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. The petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) each 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 18.03.2022 and the receipt of payment shall be produced before the first respondent police, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /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 Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.

2.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,

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

+2 CC to M/s.S.PRADEEP, Advocate (SR-11908[F] dated 14/03/2022)

Crl.O.P. (MD)No.4348 of 2022
11.03.2022

NSN (CO)

KB(16.03.2022) 2P 6C