



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2022

CORAM:

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

Cr1.O.P. (MD)No.4455 of 2022

WEB COPY

1. Antony Prince
 2. Andrews
 3. Thanush Raj
 4. Sagayaglarance
 5. Daniel @ Anthony Daniel
 6. Rishop @ Jhon Rishop
 7. Mathan
 8. Sathish @ Sagaya Sathish
 9. Paul @ Paul Micheal
- ...Petitioners/Accused 1 to 9

Vs.

- 1.The Deputy Superintendent of Police,
Cheranmahadevi,
Tirunelveli District.
 2. State represented by
The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
(Crime No.21 of 2022)
 3. Sudalai
- ... 1st Respondent /
investigation Officer
- ... 2nd Respondent / Complainant
- ... 3rd Respondent / Defacto complainant/
victim

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the records pertaining to the Crime No.21 of 2022 on the file of the 2nd respondent Police and quash the same.

For Petitioners : Mr.S.Arullawrence

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

For R3 : Mr.M.Thangadurai

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No. 21 of 2022 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.21 of 2022 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.21 of 2022, 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 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 15.03.2022 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(AS)

// 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 Deputy Superintendent of Police,
Cheranmahadevi,
Tirunelveli District.
2. The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER IN
Crl.O.P. (MD)No.4455 of 2022
03.03.2022

SP (CO)
TR(11.03.2022) 3P 4C