



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) No.5129 of 2022

Mohan Raj

...Petitioner/Sole Accused

Vs.

1. State Rep. by

The Inspector of Police,
Pallathur Police Station,
Karaikudi Taluk,
Sivagangai District.

... 1st Respondent/Complainant

2.Vahitha Banu

...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records connected with the case in Crime No.127 of 2021 on the file of the first respondent and quash the same as illegal.

For Petitioners	:	Mr.R.Bharath
For R1	:	Mr.B.Thanga Aravindh Government Advocate(Crl.side)
For R2	:	Mr.S.Abdul Rahuman

ORDER

The Criminal Original Petition has been filed to call for the records connected with the case in Crime No.127 of 2021 on the file of the first respondent and quash the same as illegal.

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 petitioner 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 Guj Rath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.127 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.127 of 2021, on the file of the first 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 **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 on or before 08.04.2022 and produce the receipt before the respondent police, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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ENCL:Xerox Copy of Joint Compromise Memo

To

- 1.The Inspector of Police,
Pallathur Police Station,
Karaikudi Taluk,
Sivagangai District.
- 2.The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

COPY TO:

THE OFFICER INCHARGE,
THE CHIEF MINISTER PUBLIC RELIEF FUND,
SECRETARIAT,
CHENNAI - 9.

Crl.O.P.(MD) No.5129 of 2022
28.03.2022

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