



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2022

CORAM:

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

Crl.O.P. (MD)No.4565 of 2022

WEB COPY

C.Vinothagan

...Petitioner/Accused No.3

Vs.

1. The Sub Inspector of Police,
Maravur Police Station,
Thanajvur District,
(In Crime No.47 of 2019)

... Respondent/Complainant

2. Krishnamoorthy

...2nd Respondent/Defacto Complainant

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records pertains to the proceedings in Crime No.47 of 2019 on the file of 1st respondent police and quash the same as illegal and arbitrary in so far as the Petitioner/Accused No.3.

For Petitioner : Mr.R.Murali

For Respondents : Mr.R.M.Anbunithi

Additional Public Prosecutor (Criminal Side)
for R1

: Mr.J.Krishna Kumar for R2

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No. 47 of 2019 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 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.47 of 2019 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.47 of 2019, on the file of the first respondent police, is quashed insofar as the petitioner alone and the terms of joint compromise memo shall form part and parcel of this order. The petitioner 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, No.625002601, on or before 17.03.2022 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 (Records)

// 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.

ENCL:Xerox Copy of Joint Compromise Memo

To:

1. The Sub Inspector of Police,
Maravur Police Station,
Thanajvur District,
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:

THE DISTRICT SIDDHA MEDICAL OFFICER,
CCRI, PERIYAKULAM.

+1 CC to M/s.R.MURALI, Advocate (SR-11473[F] dated 11/03/2022)

ORDER IN

Crl.O.P. (MD)No.4565 of 2022

10.03.2022

PK (CO)

GC(14.03.2022) 2P 5C