



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.5104 of 2022

and

Crl.M.P(MD) No.3589 of 2022

Balamurugan

... Petitioner/ Accused No.12

Vs.

1.The State rep. by

The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.

(Crime No.190 of 2014)

... 1st Respondent/ Complainant

2.Marikannan

...2nd Respondent/ Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to Crime No.190 of 2014 dated 14.09.2014 on the file of the Inspector of Police, Thirumangalam Taluk Police Station, Madurai District and quash the same.

For Petitioner: Mr.D.S.Haroon Rasheed

For R-1 : Mr.R.M.Anbunithi
Additional Public Prosecutor

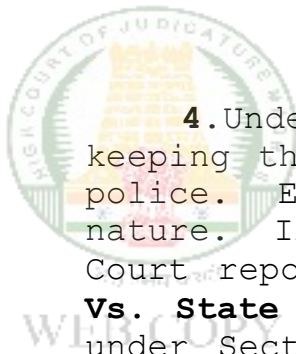
For R-2 : Mr.A.Balaji

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.190 of 2014, on the file of the first respondent police, for an alleged offences under Sections 147, 148, 294(b), 427, 323, 324 and 506(ii) and 307 of IPC.

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.1537 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.190 of 2014, 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 credit of Government of Tamil Nadu, CMPRF in IOB**, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172) on or before 31.03.2022 and produce the receipt before the respondent police, failing which the order shall stand dismissed automatically without any further reference to this Court. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

24/03/2022

Sub Assistant Registrar(CS)

ENCL:XEROX COPY OF JOINT COMPROMISE MEMO

To

- 1.The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai 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.5104 of 2022
18.03.2022

cp
MS/24.03.2022/2P.4C