



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K. ILANTHIRAIYAN**

Crl.O.P.(MD) No.4815 of 2022

WEB COPY

S.Raja

...Petitioner/Sole Accused

Vs.

1. The Sub-Inspector of Police,
Veeravanallur Police Station,
Veeravanallur,
Tirunelveli District.
(Crime No. 46 of 2020) ... 1st Respondent / Complainant
2. Vignesh ... 2nd Respondents / Defacto complainant
3. Veni Sahana ... 3rd Respondent/Victim

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records relating to the First Information Report in Crime No. 46 of 2020 on the file of the 1st respondent and to quash the same.

For Petitioner : Mr.N.Pragalathan

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

For R2 : Mr.K.MuthuRakkan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No. 46 of 2020 on the file of the 1st respondent, for an alleged offences under Sections 294(b), 323 and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment Act.

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 and third respondents 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. 46 of 2020 on the file of the 1st respondent.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No. 46 of 2020 on the file of the 1st respondent, is quashed insofar as the petitioner alone and the terms of joint compromise memo shall form part and parcel of this order. Further, the petitioner shall pay a sum of Rs.5,000/- 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 21.03.2022 and the receipt of payment shall be produced before the first respondent, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

To

1. The Sub-Inspector of Police,
Veeravanallur Police Station,
Veeravanallur, Tirunelveli District.
2. The District Siddha Medical Officer,
CCRI, Periyakulam.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-12334[F] dated 15/03/2022)

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ark(CO)

TR(15.03.2022) 2P 5C