



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2022

CORAM:

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

Cr1.O.P.(MD) No.5762 of 2022

S.Sivaram

...Petitioner/Accused

Vs.

1. The State through,
The Inspector of Police,
Traffic Investigation Wing,
North Police Station,
Trichy City, Trichy.
(Crime No.189 of 2021) ... 1st Respondent / Complainant
2. Yuvaraj ... 2nd Respondents / Defacto complainant
3. Ajayraj
4. Vijayranga ... 3 & 4th Respondents/Victims

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records relating to the impugned FIR in Cr.No.189/2021 dated 31.12.2021 on the file of the 1st respondent police and quash the same

For Petitioner : Mr.K.Sivabalan
For Respondents : Mr.R.M.Anbunithi
No.1 Additional Public Prosecutor

For Respondents : Mr.E.Balasubramanian
No.2 to 4

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.189 of 2021 , on the file of the first 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 petitioner and the respondents 2 to 4 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.189 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.189 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 petitioner 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 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(AD-I)

// True Copy //

31/03/2022

Sub Assistant Registrar(CS)

Aav

Encl.: xerox copy of Joint Compromise memo.

To

1. The Inspector of Police,
Traffic Investigation Wing,
North Police Station, Trichy City, Trichy.
2. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai

Copy to

The Officer Incharge,
Chief Ministers Public Relief Fund,
Finance(CMPRF) Department,
Government of Tamil Nadu,
Secretariat, Chennai 600 009.

+1 CC to M/s.K.SIVABALAN, Advocate (SR-15115[F] dated 29/03/2022)

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29.03.2022

TP (CO)

TR(31.03.2022) 2P 5C

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