



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2022

CORAM:

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

Cr1.O.P.(MD) No.5527 of 2022

1.Muthumani

2.Vignesh @ Vigneswaran

...Petitioners/Accused Nos.1 & 2

Vs.

1. The Inspector of Police,
Theppakulam Police Station,
Madurai City.

(Crime No.374 of 2021)

... 1st Respondent / Complainant

2. Rajapandi

... 2nd Respondents / Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records pertaining to FIR in Cr.No.374/2021 on the file of the Inspector of Police, Theppakulam Police Station, Madurai city and to quash the same as illegal in so far as concerned petitioners 1 and 2 Accused no.1 and 2.

For Petitioners : Mr.S.Prabhu
For Respondents : Mr.R.M.Anbunithi
No.1 Additional Public Prosecutor

For Respondents : Mr.S.Ramki
No.2

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.374 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. The learned Additional Public Prosecution would submit that the case has been taken cognizance in PRC No.59 of 2022 on the file of the learned Judicial Magistrate No.I, Madurai.

4.A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel.



5. 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.374 of 2021 pending on the file of the first respondent police.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.374 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. Further the consequential proceedings in PRC No.59 of 2022 on the file of the learned Judicial Magistrate No.I, Madurai also stands quashed. The petitioners shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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(P & A)

// True Copy //

29/03/2022

Sub Assistant Registrar(CS)

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To

1. The Judicial Magistrate No.I, Madurai
2. The Inspector of Police,
Theppakulam Police Station,
Madurai City.
3. 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.S.RAMKI, Advocate (SR-14410[F] dated 25/03/2022)

+2 CC to M/s.S.PRABHU, Advocate (SR-14656[F] dated 25/03/2022)

Cr1.O.P.(MD) No.5527 of 2022
25.03.2022

kmk (CO)
TR(29.03.2022) 3P 8C