



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2022

CORAM:

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

Crl.O.P.(MD) No.5939 of 2022

1. M.Alphonse
2. B.Rojer
3. Jenit

...Petitioners/Accused Nos 1, 3 & 4

Vs.

1. The State of Tamil Nadu rep. by
The Sub Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.
(Cr.No.68 of 2022)

... 1st Respondent/Complainant

2. Anish

...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records relating to Crime No.68 of 2022 on the file of Thiruvattar Police Station, Kanyakumari District and quash the same.

For Petitioners : Mr.P.Prabu
For Respondents : Mr.R.M.Anbunithi
No.1 Additional Public Prosecutor
For Respondents : Mr.N.Dilip Kumar
No.2

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.68 of 2022, 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 petitioners 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.68 of 2022 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.68 of 2022, 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 petitioners 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 12.04.2022 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 (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

aav

ENCL:Xerox Copy of Joint Compromise Memo

To

1. The Sub Inspector of Police,
Thiruvattar Police Station,
Kanyakumari 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.

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-15854[F] dated 31/03/2022)
Crl.O.P.(MD) No.5939 of 2022
31.03.2022

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GC (04.04.2022) 2P 5C