



BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

DATED: 08.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.6316 of 2022

WEB COPY

1.Kiruba @ Davidkirubbakarapandiyan

2.Ruban @ Anbu Vasantha Ruban

... Petitioners/Accused Nos.1 & 2

Vs.

1.The State represented by,

The Inspector of Police,

Athiramapattinam Police Station,

Thanjavur District.

(In Crime No.345 of 2015). ... 1st Respondent/Complainant

2.Muhamad Ismail

... 2nd Respondent/Defacto complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and quash the FIR as far as the petitioners 1 and 2 are concerned in Crime No.345 of 2015 on the file of the Inspector of Police, Athiramapatinam Police Station, Thanjavur District.

For Petitioners

: Mr.N.Balasubramanian

For R - 1

: Mr.R.M.Anbunithi

Additional Public Prosecutor

For R - 2

: Mr.S.Arun Kumar

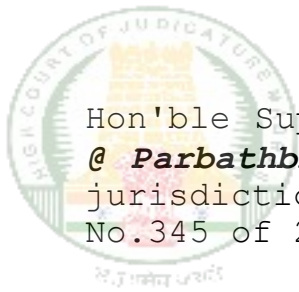
ORDER

The Criminal Original Petition has been filed to quash the FIR as against the petitioners/Accused Nos.1 and 2 in Crime No.345 of 2015 on the file of the first respondent for the offences under Sections 294(b), 298, 33 and 506(ii) of I.P.C.

2. The case is under 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 has 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 FIR in Crime No.345 of 2015 pending on the file of the first respondent, 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 FIR in Crime No.345 of 2015.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.345 of 2015 pending on the file of the first respondent is quashed and the terms of Joint Memo of Compromise 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 credit of Government of Tamil Nadu, CMPRF in IOB**, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172) on or before 18.04.2022 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 (RTI)

// True Copy //

11/04/2022

Sub Assistant Registrar (CS-II)

ps

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

ENCL:Xerox Copy of Joint Compromise Memo

To

- 1.The Inspector of Police,
Athiramapattinam Police Station,
Thanjavur 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.

Order made in
Crl.O.P (MD) No.6316 of 2022
08.04.2022