



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2022

CORAM:

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

Crl.O.P.(MD) No.6275 of 2022

WEB COPY

- 1.Periyasamy
- 2.Mathan
- 3.Vivek @ Vivekkumar
- 4.Stalin
- 5.Santhosh @ Santhoshkumar ...Petitioners/Accused Nos.1 to 5

Vs.

1. The State rep. by
The Inspector of Police,
SS Colony Police Station,
Madurai City.
(Cr.No.1037/2021) ... 1st Respondent / Complainant
2. Siva ... 2nd Respondents / Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records relating to FIR in Crime No.1037 of 2021 dated 05/11/2021, on the file of the Inspector of Police, SS Colony Police Station, Madurai and Quash the same as against the Petitioner.

For Petitioner : Mr.P.Balasubramanian

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

For R2 : Mr.D.Ramesh Kumar

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No. 1037 of 2021, on the file of the first respondent police, for an alleged offences under Sections 147, 148, 452, 342, 294(b), 324 and 506(ii) of IPC.

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.

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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. 1037 of 2021, on the file of the first respondent police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No. 1037 of 2021, on the file of the first respondent police, is quashed insofar as the petitioners alone and the terms of joint compromise memo shall form part and parcel of this order. Further, the petitioners shall pay a sum of **Rs.5,000/-** 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 **21.04.2022** 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(CO)

// True Copy //

18/04/2022

Sub Assistant Registrar(CS)

lr

Encl.: xerox copy of Joint Compromise memo.

To

1. The Inspector of Police,
SS Colony Police Station,
Madurai City.
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.P. BALASUBRAMANIAN, Advocate (SR-18795[F] dated
13/04/2022)

Crl.O.P.(MD) No.6275 of 2022
11.04.2022

nsn(CO)
TR(18.04.2022) 3P 5C