



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.6598 of 2022

and

Crl.M.P(MD) No.4560 of 2022

WEB COPY

1.F.Vins

2.Priyadharsan

3.Anand

4.Marshal

...Petitioners/Accused Nos 1 to 4

Vs.

1. State through by

The Inspector of Police,
Suchindram Police Station,
Kanyakumari District.

(Cr.No.223/2019)

... 1st Respondent/Complainant

2. Subramani

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records pertaining to the First Information Report in Cr.No. 223/2019 dated 15/05/2019 on the file of the 1st respondent police, for the offences U/s 294(b), 323, 324, 506(ii) of IPC and quash the same as illegal as against the petitioners alone.

For Petitioners : Mr.K.Suyambulinga Bharathi

For R1 : Mr.R.M.Anbunithi

Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No. 223 of 2019, on the file of the first respondent police, for an alleged offences under Sections 294(b), 323, 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.

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 Guj Rath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No. 223 of 2019, on the file of the first respondent police respondent police.

WEB COPY

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No. 223 of 2019, 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 cost, 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 police, failing which the order shall stand dismissed automatically without any further reference to this Court. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

19/04/2022

Sub Assistant Registrar(CS)

lr

ENCL:Xerox Copy of Joint Compromise Memo

To

1. The Inspector of Police,
Suchindram Police Station,
Kanyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:-

THE OFFICER INCHARGE,
CHIEF MINISTER PUBLIC RELIEF FUND,
FINANCE(CMPRF) DEPARTMENT,
GOVERNMENT OF TAMIL NADU,
SECRETARIAT, CHENNAI 600 009.

Crl.O.P.(MD) No.6598 of 2022
11.04.2022

NSN (CO)

GC(19.04.2022) 2P 4C