



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL OP(MD) . No.6338 of 2022

1. Mohamed Ibramsha
2. Mohamed Faisal
3. Thajudeen @ Thajudeen NijammaideenPetitioners/
Accused No 1 to 3

Vs

1. State represented by
The Inspector of Police,
Ayyempettai Police Station,
Thanjavur District,
(In Crime No.1069/2021) ... 1st Respondent/Complainant
2. Mohamed Yasar Arafath2nd Respondent/
Defacto Complainant

PRAYER :- This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the records pertaining to the FIR in Crime No.1069/2021 on the file of the 1st respondent police and quash the same.

For Petitioners : Mr.A.Arun Prasad
For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor
(Criminal Side)
for R1
: Mr.M.Vignesh Kumar for R2

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No. 1069 of 2021, on the file of the 1st Respondent.

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 Gujarat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in



Crime No.1069 of 2021 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.1069 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. The petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) each 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 13.04.2022 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.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

ENCL:Xerox Copy of Joint Compromise Memo

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.

TO

1.The Inspector of Police,
Ayyempettai 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
IN

CRL OP(MD) . No.6338 of 2022

Date : 06/04/2022

SJ(CO)

GC(08.04.2022) 2P 4C