



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P(MD)No.6412 of 2022

1.Arunkumar

2.Mensila @ Menslla

... Petitioners/Accused Nos.1 & 2

Vs.

1.State Rep. by

The Inspector of Police,
All Women Police Station,

Tuticorin,

Tuticorin District.

(In Cr.No.11 of 2021)

... 1st Respondent/Complainant

2.Mary Thomas Saloshiya

...2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the FIR in Crime No.11 of 2021 on the file of the 1st Respondent police and quash the same in respect of the petitioner alone.

For Petitioners : Mr.V.Malaiendran

For R1 : Mr.R.M.Anbunithi

Additional Public Prosecutor
(Cr1. Side)

For R2

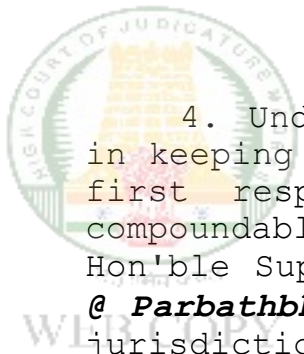
: Mr.S.Paul Murugesh

ORDER

The Criminal Original Petition has been filed to quash the FIR as against the petitioner in Crime No.11 of 2021 on the file of the first respondent for the alleged offences under Sections 498(A), 406, 312 and 506(i) IPC.

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.11 of 2021 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.11 of 2021.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.11 of 2021 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 petitioner 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 26.04.2022 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 (CO)

// True Copy //

20/04/2022

Sub Assistant Registrar(CS)

vsd

Encl:Photocopy 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,
All Women Police Station,
Tuticorin,Tuticorin District.
 - 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,Madurai.
 - 3.The Joint Secretary to Government,
CMPRF (Finance Department),
Secretariat Branch, Chennai-9.
- +1 CC to M/s.V. MALAIYENDRAN, Advocate (SR-19417[F] dated 19/04/2022)

Crl.O.P(MD)No.6412 of 2022

19.04.2022

MGJ(20.04.2022) 2P 5C

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