



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12.04.2022

CORAM:

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

Crl.O.P.(MD) No.6787 of 2022

and

Crl.M.P(MD) No.4688 of 2022

1. Sha Nawaskhan
2. Kajamydeen @ Kaja Mohideen ...Petitioners

Vs.

1. State rep. by
The Inspector of Police,
Melapalayam Police Station,
Tirunelveli City.
(Crime No.97 of 2022)

2. Seenipandian @ Seenipandi ...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for records pertaining to the FIR in Crime No.97 of 2022 on the file of 1st respondent police and quash the same as illegal.

For Petitioners : Mr.T.Lenin Kumar
For Respondents : Mr.R.M.Anbunithi
No.1 Additional Public Prosecutor
For Respondents : Mr.D.Venkatesh
No.2

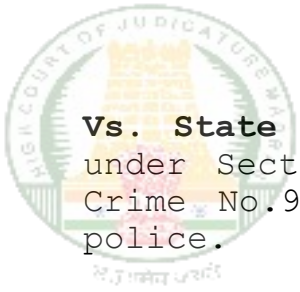
ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.97 of 2022 , on the file of the first respondent police.

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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.97 of 2022 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.97 of 2022, on the file of the first respondent police, is quashed 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) as costs, to the **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 22.04.2022 and produce the receipt before the respondent police, failing which the order shall stand dismissed automatically without any further reference to this Court. Consequently connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(RTI)

// True Copy //

18/04/2022

Sub Assistant Registrar(CS)

aav

Encl.: xerox copy of Joint Compromise memo.

To

1. The Inspector of Police,
Melapalayam Police Station, Tirunelveli 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.T. LENIN KUMAR, Advocate SR-18268[F] dated 12/04/2022

Cr1.O.P.(MD) No.6787 of 2022
and
Cr1.M.P(MD) No.4688 of 2022
12.04.2022

pk(CO)

TR(18.04.2022) 2P 5C