



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2022

CORAM:

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

Crl.O.P. (MD) .No.6818 of 2022

WEB COPY

1. Magesh
2. Ratheesh

... Petitioners/Accused 1&2

Vs.

1. State rep. by  
The Inspector of Police,  
Thuckalay Police Station  
Kanyakumari District  
(Crime No.196 of 2014)

... 1<sup>st</sup> Respondent/Complainant

2. M.Chandra Kumar

... 2<sup>nd</sup> Respondent/Defacto  
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining in Crime No. 196 of 2014 on the file of the Thuckalay Police Station, Kanyakumari District insofar as petitioners are concerned and to quash the same.

|                 |                              |
|-----------------|------------------------------|
| For Petitioners | : Mr.G.Cenil                 |
| For R-1         | : Mr.R.M.Anbunithi           |
|                 | Additional Public Prosecutor |
| For R-2         | : Mr.David Oliver            |

### **ORDER**

The Criminal Original Petition has been filed to quash the proceedings in Crime No. 196 of 2014, on the file of the first respondent police, for an alleged offences under Sections 447, 294(b), 324, 307 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.196 of 2014 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.196 of 2014, 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 **28.04.2022** 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 (P&A)

// True Copy //

25/04/2022

Sub Assistant Registrar(CS)

1r

**Encl : Joint Compromise Memo**

To

1. The Inspector of Police,  
Thuckalay Police Station  
Kanyakumari District
2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.
3. The Joint Secretary,  
Government of Tamilnadu,  
CMPRF, IOB, Secretariat Branch,  
Chennai-9.

+1 CC to M/s.G. CENIL, Advocate ( SR-19645[F] dated 20/04/2022 )

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20.04.2022