



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2022

CORAM

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.6304 of 2020

1.A.Sankaran

2.S.Senthilkumar

...Petitioners/Accused Nos.1 & 2

Vs.

1.The State through

The Inspector of Police,
Central Crime Branch Police Station,
Madurai City,
Madurai District.

...1st Respondent/Complainant

2.Ravikumar

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to quash the case in Crime No.41 of 2019 on the file of the first respondent police station, by accepting the joint compromise memo, dated 05.06.2020.

For Petitioners : Mr.T.Balakrishnakumar

For R1 : Mr.R.M.Anbunithi
Additional Public Prosecutor
(Crl. Side)

For R2 : Mr.M.K.A.Kasim Sait.

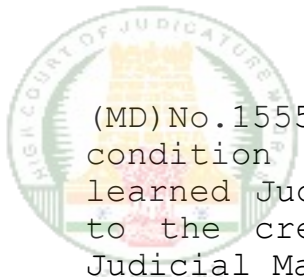
ORDER

The Criminal Original Petition has been filed to quash the FIR as against the petitioners in Crime No.41 of 2019 on the file of the first respondent.

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.At this stage, the learned counsel for the petitioners submitted that at the time of granting anticipatory bail in Crl.O.P



(MD)No.155537 of 2019, dated 14.11.2019, this Court imposed a condition that the petitioners/accused to surrender before the learned Judicial Magistrate No.1, Madurai and to deposit Rs.5 lakhs to the credit of Cr.No.41 of 2019 on the file of the learned Judicial Magistrate No.1, Madurai.

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5. Under such circumstances, no useful purpose will be served in keeping the FIR in Crime No.41 of 2019 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.41 of 2019.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.41 of 2019 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 petitioners 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 05.05.2022 and produce the receipt before the respondent police, failing which the order shall stand dismissed automatically without any further reference to this Court.

7. In view of the compromise entered between the petitioners and the second respondent herein, the petitioners are permitted to withdraw the amount, which was deposited to the credit of Cr.No.41 of 2019 on the file of the learned Judicial Magistrate No.1, Madurai by filing appropriate application.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

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 Judicial Magistrate No.I Madurai.

2.The Inspector of Police,
Central Crime Branch Police Station,
Madurai City,
Madurai District.

3.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.

Crl.O.P(MD)No.6304 of 2020
25.04.2022

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