



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.6794 of 2022

WEB COPY

1. Muniyasamy @ Munichamy
 2. Panchavarnam
 3. Sengaimaran
- ...Petitioners/Accused No 1 to 3

Vs.

1. State rep. by
The Inspector of Police,
Poovanthi Police Station,
Sivagangai District.
(Crime No.85 of 2016) .. 1st Respondent/Complainant
2. Rakku ...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for records pertaining to Cr.No.85 of 2016, on the file of the 1st Respondent and quash the same as illegal.

For Petitioners	:	Mr.S.Ayyanar Prem Kumar
For Respondents	:	Mr.R.M.Anbunithi
No.1		Additional Public Prosecutor
For Respondents	:	Mr.V.Nagapandi
No.2		

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.85 of 2016, 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 Gujrat)**, this Court in exercise of its jurisdiction



under Section 482 Cr.P.C. quashes the First Information Report in Crime No.85 of 2016 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.85 of 2016, 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.

Sd/-

Assistant Registrar (Records)

// True Copy //

18/04/2022

Sub Assistant Registrar(CS-II)

aav

ENCL:Xerox Copy of Joint Compromise Memo

To

1.The Inspector of Police,
Poovanthi Police Station,
Sivagangai District.

2. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

COPY TO:-

THE OFFICER INCHARGE,
CHIEF MINISTER PUBLIC RELIEF FUND,
FINANCE(CMPRF) DEPARTMENT,
GOVERNMENT OF TAMIL NADU,
SECRETARIAT, CHENNAI 600 009.

+1 CC to M/s.S. AYYANAR PREM KUMAR, Advocate (SR-18013[F]
dated 12/04/2022)

Crl.O.P.(MD) No.6794 of 2022
12.04.2022

am(CO)

GC(18.04.2022) 2P 5C