



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.6844 of 2022

WEB COPY

1.S.Kalimuthu

2.Kadukkan @ Periyar @ Periyasamy

3.Madasami

4.Murugesan

... Petitioners 1 to 4/Accused Nos.1 to 4

Vs.

1.The State represented by,

The Inspector of Police,

Sankarankovil Town Police Station,

Tenkasi District.

(In Crime No.127 of 2022)... 1st Respondent/Complainant

2.Marisamy

... 2nd Respondent/Defacto complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to the FIR in Crime No.127 of 2022, dated 19.03.2022 on the file of the Inspector of Police, Sankarankovil Town Police Station, Tenkasi and quash the same as against the petitioners.

For Petitioners : Mr.Aayiram K.Selvakumar

For R - 1 : Mr.B.Thanga Aravindh

Government Advocate (Crl. Side)

For R - 2 : Mr.V.M.Jegadeesa Pandian

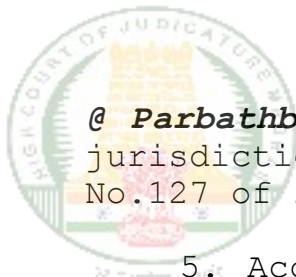
ORDER

The Criminal Original Petition has been filed to quash the FIR as against the petitioners/Accused Nos.1 to 4 in Crime No.127 of 2022 on the file of the first respondent for the offences under Sections 448, 294(b), 427 and 506(i) of I.P.C.

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.127 of 2022 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.127 of 2022.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.127 of 2022 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 25.04.2022 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 (RTI)

// True Copy //

18/04/2022

Sub Assistant Registrar(CS-II)

ps

ENCL:Xerox Copy 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,
Sankarankovil Town Police Station,
Tenkasi 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.

Order made in

Crl.O.P(MD)No.6844 of 2022

13.04.2022