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BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT
DATED: 22.04.2022
CORAM
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.(MD)No.7325 of 2022

1.S.Pothy Sundar
2.R.Rothi Alex ... Petitioners/Accused Nos.1 & 2

Vs.

1.The Inspector of Police,
Vallioyoor Police Station,
Tirunelveli District.
(In Crime No.19 of 2022). ... 1st Respondent/Complainant

2.Sudalaikan ... 2nd Respondent/Defacto complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to quash the FIR in Crime No.19 of 2022 on the file of the first respondent and quash the same as the matter is amicably settled between the parties.

For Petitioners : Mr.K.Anand

For R – 1 : Mr.R.M.Anbunithi
Additional Government Pleader

For R – 2 : Mr.R.Krishnan

ORDER

The Criminal Original Petition has been filed to quash the FIR as against the petitioners/Accused Nos.1 & 2 in Crime No.19 of 2022 on the file of the first respondent for the offences under Sections 447, 294(b), 435 and 506(ii) 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.19 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

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jurisdiction under Section 482 Cr.P.C. quashes the FIR in Crime No.19 of 2022.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.19 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 29.04.2022 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(CS-)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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,
Vallioyoor Police Station,
Tirunelveli District.

2. The Officer Incharge,
Chief Ministers Public Relief Fund,
Finance(CMPRF) Department, Government of Tamil Nadu,
Secretariat, Chennai 600 009.

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

Order made in
Crl.O.P(MD)No.7325 of 2022
22.04.2022

km(CO)
TR(25.04.2022) 2P 4C

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