



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2022

CORAM:

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

Crl.O.P.(MD) No.7652 of 2022

and

Crl.M.P(MD) No.5306 of 2022

1. Jafar Sathick @ Jaffar Sadik
2. Thameem Ansari @ Thamimul Ansari
3. Mohamed Asan @ Mohamed Hasan
4. Mohamed Raheem @ Mohamed Rahim
5. Farook Abdulla ...Petitioners/ Accused No.1 to 5

Vs.

1. State rep. through
The Inspector of Police,
Town South Police Station,
Dindigul.
(In Crime No.630 of 2021) ... Respondent/ Complainant
2. Jamal Mohamed ...Respondent/ Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records of impugned First Information Report in Crime No.630 of 2021 on the file of the respondent No.1 police station and quash the same as illegal.

For Petitioners	:	Mr.A.Mohamed Riyaz
For Respondent	:	Mr.R.M.Anbunithi
No.1		Additional Public Prosecutor
For Respondent	:	Mr.A.Abdul Kabur
No.2		

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.630 of 2021, 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.630 of 2021 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.630 of 2021, 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 **20.05.2022** and produce the receipt before the respondent police, failing which the order shall stand dismissed automatically without any further reference to this Court. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

09/05/2022

Sub Assistant Registrar(CS)

Btr

Enclosed herewith Copy of the Joint Compromise Memo
To

1. The Inspector of Police,
Town South Police Station, Dindigul.
- 2.The Joint Secretary to Government,
CMPRF (Finance Department),
Secretariat Branch, Chennai-9.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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RD(09.05.2022) 2P 4C