



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.7630 of 2022

and

Crl.M.P(MD) No.5304 of 2022

1. Thameem Ansari @ Thamimul Ansari

2. Jafar @ Jaffar Sadik

...Petitioners

Vs.

1. State rep. through

The Inspector of Police,
Town South Police Station,
Dindigul.

(In Crime No.1541 of 2020)

2. Mohamed Rafiyudheen

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records of impugned FIR in Crime No.1541 of 2020 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

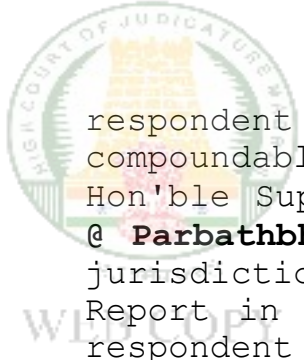
ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.1541 of 2020 , 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.1541 of 2020 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.1541 of 2020, 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. Further the consequential proceedings in C.C.No.370 of 2022 on the file of the learned Judicial Magistrate III, Dindigul also stands quashed. 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 **27.05.2022** 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 (CS III)

// True Copy //

20/05/2022

Sub Assistant Registrar(CS)

btr

Encl: Photocopy of Compromise Memo attached.

To

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

CrI.O.P.(MD) No.7630 of 2022

and

CrI.M.P(MD) No.5304 of 2022

25.04.2022