



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.7579 of 2022

and

Crl.M.P(MD) No.5168 of 2022

WEB COPY

1. Masanamuthu Pandi

2. Vella Durai

...Petitioners/Accused No 1 & 2

Vs.

1. State through Deputy Superintendent of Police,
Alangulam Sub Division,
Tenkasi District.

2. State through
The Inspector of Police,
Surandai Police Station,
Tenkasi District.

(In Crime No.152/2019)

... 1st & 2nd Respondents/Complainants

3. Mathesh

...3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records pertaining to the FIR in Crime No.152 of 2019, dated 08.04.2019 for the offences U/s.294(b), 324, 506(ii) of IPC and 3(1)(r), (3)(1)(s), 3(2)(Va) of SC/ST (Prevention of Atrocities) Act, 2015 on the file of the respondents police and quash the same.

For Petitioners : Mr.K.R.Bharathi Kannan
For Respondents : Mr.R.M.Anbunithi
No.1 & 2 Additional Public Prosecutor
For Respondent : Mr.R.Anandharaj
No.3

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.152 of 2019, on the file of the second 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 third 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.152 of 2019 pending on the file of the second respondent police.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.152 of 2019, on the file of the second 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 //

/ /2022

Sub Assistant Registrar(CS)

btr

ENCL:Xerox Copy of Joint Compromise Memo

To

- 1.The Additional District and Sessions Judge (PCR),
Tirunelveli.
- 2.The Judicial Magistrate,
Alangulam.
- 3.The Deputy Superintendent of Police,
Alangulam Sub Division,
Tenkasi District.



4.The Inspector of Police,
Surandai Police Station,
Tenkasi District.

5.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.

Crl.O.P.(MD) No.7579 of 2022
and
Crl.M.P(MD) No.5168 of 2022
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