



WEB COPY

Crl.O.P(MD) No.7577 of 2022

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.7577 of 2022

and

Crl.M.P(MD) No.5169 of 2022

1. Masanamuthu Pandian
2. Vella Durai
3. Kathiravan
4. Muthupandi
5. Manikandan

...Petitioners

Vs.

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

...Respondent/
Complainant

- 2.State through
The Inspector of Police,
Surandai Police Station,
Tenkasi District.
(In Crime No.175/2019)

3. Mupidathi

...Respondents/
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. 175 of 2019, dated 01.05.2019 for the offences 147, 153A, 294(b), 427, 506(ii) of IPC and 3 (1)(r), 3(1)(s) of SC/ST (Prevention of Atrocities) Act 2015 on the file of the respondents police and quash the same.

For Petitioners : Mr.KR.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.175 of 2019 , on the file of the second respondent police.

<https://hcservices.ecourts.gov.in/hcservices/>



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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.175 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.175 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

Enclose copy of Joint Compromise memo.

To

1.The Additional District & 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 Joint Secretary to Government,
CMPRF (Finance Department),
Secretariat Branch,
Chennai-9.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) No.7577 of 2022
and
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