



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2022

CORAM:

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

CrI.O.P.(MD) No.7572 of 2022

WEB COPY

1. Mohamed Azarudeen
2. Rafeeka Beevi
3. Kaja Mydeen

...Petitioners/Accused 1 to 3

Vs.

1. State rep. by
The Inspector of Police,
Pettai Police Station,
Tirunelveli City.
(In Crime No.266 of 2019) ... 1st Respondent / Complainant
2. Asan Fathima ... 2nd Respondents / Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the entire records pertaining to the case in Crime No. 266 of 2019 pending on the file of the Inspector of Police, Pettai Police station, Tirunelveli city and quash the same as against the petitioners.

For Petitioners : Mr.R.Anand

For Respondent : Mr.R.M.Anbunithi
No.1 Additional Public Prosecutor

For Respondent : Mr.P.Gunasekaran
No.2

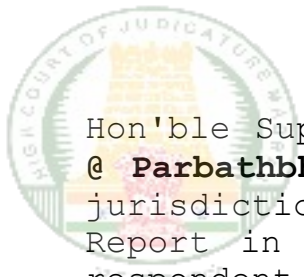
ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.266 of 2019, 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.266 of 2019 pending on the file of the first respondent police.

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5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.266 of 2019, 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.

Sd/-

Assistant Registrar(CO)

// True Copy //

09/05/2022

Sub Assistant Registrar(CS)

btr

Encl.: xerox copy of Joint Compromise memo.

To

1. The Inspector of Police,
Pettai Police Station,
Tirunelveli City.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

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

+1 CC to M/s.R. ANAND, Advocate (SR-21418[F] dated 26/04/2022)

Cr1.O.P.(MD) No.7572 of 2022
25.04.2022

km(CO)

TR(09.05.2022) 2P 5C