



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2022

CORAM:

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

CrI.O.P.(MD) No.7654 of 2022

Karuppu @ Thangadurai

...Petitioner/Accused No. 3

Vs.

1. The Assistant Commissioner of Police,
Social Justice and Human Rights Wing,
Madurai City.

2. State represented by
The Inspector of Police,
Avaniyapuram Police Station,
Madurai City.
(Crime No.604/2019)

...Respondent 1 & 2/Complainant

3.Vasanth

...3rd Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records pertaining to the FIR in Crime No. 604/2019 on the file of the Avaniyapuram police station, Madurai and quash the same/accused No.3.

For Petitioner	:	Mr.K.Jayaseelan
For R1	:	Mr.R.M.Anbunithi, Additional Public Prosecutor.
For R2	:	Mr.P.Balasubramani

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No. 604/2019, on the file of the second respondent police, for an alleged offences under Sections 147, 148, 323, 342, 324 and 506(2) of IPC and Section 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

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 petitioner 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 Gujraht)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No. 604/2019, on the file of the second respondent police.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No. 604/2019, on the file of the second respondent police, is quashed insofar as the petitioner alone and the terms of joint compromise memo shall form part and parcel of this order. Further, the petitioner shall pay a sum of Rs.5,000/- as costs, 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 **25.05.2022** and the receipt of payment shall be produced before the second respondent. The third respondent is directed to return a sum of Rs.1,50,000/-, which was received as atrocity fund, to the Adi Dravidar Welfare Officer, Madurai, on or before **30.05.2022**, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar (CO)

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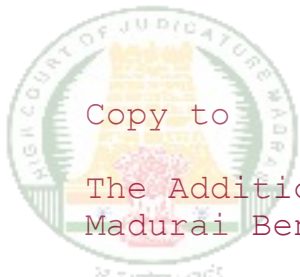
/ /2022

Sub Assistant Registrar(CS)

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To

1. The Assistant Commissioner of Police,
Social Justice and Human Rights Wing,
Madurai City.
2. The Inspector of Police,
Avaniyapuram Police Station,
Madurai City.
3. The Joint Secretary to Government,
Chief Minister Public Relief Fund,
Secretariat, Chennai-9
4. The Adi Dravidar Welfare Officer, Madurai



Copy to

The Additional Public prosecutor,
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.K. JAYASEELAN, Advocate (SR-21223[F] dated
26/04/2022)

Crl.O.P.(MD) No.7654 of 2022
26.04.2022

KM(CO)

KB(10.05.2022) 3P 7C