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BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

DATED: 26.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD)No.7740 of 2022

and

Crl.M.P(MD)No.5282 of 2022

1.Viji @ Vijayakanth
2.Kannan
3.Ramesh
4.Thangaraj ... Petitioners/Accused Nos.1, 6, 9 & 11

Vs.

1.The State represented by,
The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.
(Crime No.190 of 2014). ... 1st Respondent/Complainant

2.Marikannan ... 2nd Respondent/
Defacto complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to Crime No.190 of 2014, dated 14.09.2014 on the file of the Inspector of Police, Thirumangalam Taluk Police Station, Madurai District and quash the same asfar as the petitioners/Accused Nos.1, 6, 9 & 11 are concerned.

For Petitioners : Mr.D.S.Haroon Rasheed
For R – 1 : Mr.R.M.Anbunithi
Additional Public Prosecutor
For R – 2 : Mr.A.Balaji

ORDER

The Criminal Original Petition has been filed to quash the FIR as against the petitioners/Accused Nos.1, 6, 9 and 11 in Crime No.190 of 2014 on the file of the first respondent for the offences under Sections 147, 148, 294(b), 427, 323, 324, 506(ii) and 307 of I.P.C.

2. The case is under 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 has 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 FIR in Crime No.190 of 2014 pending on the file of

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the first respondent, 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 FIR in Crime No.190 of 2014.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.190 of 2014 pending on the file of the first respondent is quashed and the terms of Joint Memo of Compromise 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 credit of Government of Tamil Nadu, CMPRF in IOB**, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172) on or before **06.05.2022** 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 //

04/05/2022

Sub Assistant Registrar(CS)

ps

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Inspector of Police,
Thirumangalam Taluk Police Station, Madurai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

3.The Joint Secretary to Government,
CMPRF (Finance),
Secretariat,
Chennai-9.

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