



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 29.04.2022

CORAM
THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P(MD)No.8247 of 2022

WEB COPY

1.Krishnamoorthy
2.Samy @ Muniyandisamy
3.Nitheesh
4.Ammalu
5.Kannan
6.Ramesh

... Petitioners/Accused No
1 to 3 & 5 to 7

Vs.

1.The State rep., by
The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.
(Crime No.40 of 2022)

...Respondents1/Complainant

2.Sureshbabu

...2nd Respondent/Defacto
Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to Crime No.40 of 2022 dated 19.03.2022 on the file of the Inspector of Police, Thirupachethi Police Station, Sivagangai District and quash the same as against the above petitioners/Accused No 1 to 3 & 5 to 7.

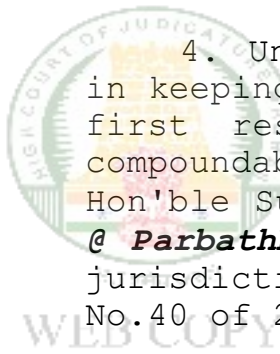
For Petitioner : Mr.D.S.Haroon Rasheed
For R-1 : Mr.R.M.Anbunithi
Additional Public Prosecutor(Cr1. Side)
For R-2 : Mr.R.Manikandan

ORDER

The Criminal Original Petition has been filed to quash the FIR as against the petitioners in Crime No.40 of 2022 on the file of the first respondent for the alleged offences under Sections 147, 148, 294(b), 323 and 324 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 petitioner, the second and third respondents and also by their respective counsel.



4. Under such circumstances, no useful purpose will be served in keeping the FIR in Crime No.40 of 2022 pending on the file of 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the FIR in Crime No.40 of 2022.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.40 of 2022 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 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 //

16/05/2022

Sub Assistant Registrar(CS)

rmk

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,
Thiruppachethi Police Station,
Sivagangai District.
2. The Joint Secretary to Government,
Chief Minister Public Relief Fund, Secretariat, Chennai-9
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CrI.O.P(MD).No.8247 of 2022
29.04.2022

SG(CO)

KB(16.05.2022) 2P 4C