



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.7757 of 2022

K.Kavinkumar

... Petitioner/Sole Accused

(Minor petitioner represented by his guardian and Mother Shanmugalakshmi)

Vs.

1.State represented by

The Inspector of Police,

V.Pudur Police Station,

Thoothukudi District.

(In Crime No.42 of 2022).

... 1st Respondent/Complainant

2.Krishna Leela

... 2nd Respondent/

Defacto complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to the impugned FIR in Crime No.42 of 2022 on the file of the first respondent and quash the same.

For Petitioner

: Mr.M.Prabu

For R - 1

: Mr.R.M.Anbunithi

Additional Public Prosecutor

For R - 2

: Mr.R.Balakrishnan

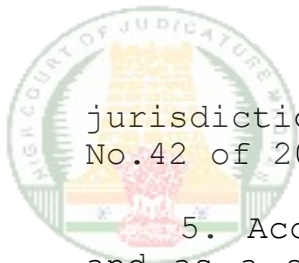
ORDER

The Criminal Original Petition has been filed to quash the FIR as against the petitioner/Sole Accused in Crime No.42 of 2022 on the file of the first respondent for the offences under Sections 279 and 337 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 petitioner 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.42 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 Gujrath)**, this Court in exercise of its



jurisdiction under Section 482 Cr.P.C. quashes the FIR in Crime No.42 of 2022.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.42 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 petitioner 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 **06.04.2022** 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 //

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,
V.Pudur Police Station,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 3.The Joint Secretary to Government,
CMPRF (Finance Department),
Secretariat Branch,
Chennai-9.

Crl.O.P (MD)No.7757 of 2022
26.04.2022

NSN(CO)

KB(04.05.2022) 2P 4C