



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2022

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.7968 of 2022

- 1.Vaikundapandiyan @ Vaikundam
- 2.Shanmugaiah Pandiayan
- 3.Perumal
- 4.Patchiraja
- 5.Esakiipandi

... Petitioners/Accused 1 to 5

Vs.

- 1.State of Tamilnadu
The Deputy Superintendent of Police,
Srivaikundam Police Station,
Thoothukudi District.

- 2.The Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.

... Respondent 1&2/Complainant

- 3.Magesh

... 3rd Respondent/Defacto
Compalainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records in FIR in Crime No.84 of 2022 on the file of the second respondent and quash the same.

For Petitioner	:	Mr.N.Anandakumar
For R1 & R2	:	Mr.K.Sanjai Gandhi Government Advocate (Crl.side)
For R3	:	Mr.S.Paulmurugesh

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.84 of 2022 on the file of the second respondent police.

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, third respondent and also by their respective counsel.



4. Under such circumstances, no useful purpose will be served in keeping the FIR in Crime No.84 of 2022 pending on the file of the second 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 Guj Rath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the FIR in Crime No.84 of 2022.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.84 of 2022 pending on the file of the second 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 25.05.2022 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 //

/ /2022

Sub Assistant Registrar(CS)

Rmk

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 Deputy Superintendent of Police,
Srivaikundam Police Station,
Thoothukudi District.
- 2.The Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



+1 CC to M/s.V.MALAIYENDRAN, Advocate (SR-22894[F]
dated 29/04/2022)

Crl.O.P(MD) .No.7741 of 2022
28.04.2022

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