



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**
Crl.O.P.(MD).No.8110 of 2022

WEB COPY

Ajithkumar ...Petitioner/Accused Rank Not Known
Vs.

1.State rep. by
The Inspector of Police,
Aravayal Police Station
Sivagangai District
(Crime No.23 of 2022) ...1st Respondent/Complainant

2.Subramanian ...2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the impugned FIR in Crime No.23/2022, dated 27.03.2022, on the file of the first respondent police and to quash the same as illegal.

For Petitioner	: Mr.A.Arputharaj
For R-1	: Mr.R.M.Anbunithi
	Additional Public Prosecutor
For R-2	: Mr.Sabbani bar baranjothi

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No. 23/2022, on the file of the first respondent police, for an alleged offence under Section 379 of IPC.

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 second 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.23/2022 pending on the file of the first respondent police.



5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.23/2022, on the file of the first 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 **20.05.2022** and the receipt of payment shall be produced before the first respondent, 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)

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To

1.The Inspector of Police,
Aravayal 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.

+1 CC to M/s.A. ARPUTHARAJ, Advocate (SR-22052[F] dated
28/04/2022)

Cr1.O.P.(MD).No.8110 of 2022
28.04.2022

NSN(CO)

KB(04.05.2022) 2P 5C