



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.8192 of 2022

WEB COPY

1.Manikandan

2.Kalyanasundaram

3.Ganesan

4.Veerasami

5.Ayyappan

... Petitioners/Accused Nos 1 to 5

Vs.

1.State rep., by

The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.

(Crime NO.32 of 2020)

... Respondent/Complainant

2.Sekar

... Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to Crime No.32 of 2020 on the file of the first respondent police and quash the same as illegal.

For Petitioners : Mr.P.Maharaja

For R-1 : Mr.R.M.Anbunithi

Additional Public Prosecutor(Crl. Side)

For R-2 : Mr.M.Pitchaimuthu

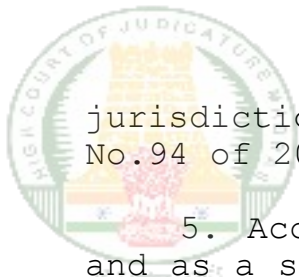
ORDER

The Criminal Original Petition has been filed to quash the FIR as against the petitioners in Crime No.32 of 2020 on the file of the first respondent for the alleged offences under Sections 147, 148, 294(b), 324 and 506(ii) IPC.

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 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.32 of 2020 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.94 of 2019.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.32 of 2020 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 27.05.2022 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 (CS-II)

// True Copy //

/ /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.

ENCL:Xerox Copy of Joint Compromise Memo

To

1.The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.

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

COPY TO:-

THE OFFICER INCHARGE,
CHIEF MINISTER PUBLIC RELIEF FUND,
FINANCE(CMPRF) DEPARTMENT,
GOVERNMENT OF TAMIL NADU,
SECRETARIAT, CHENNAI 600 009.

Crl.O.P(MD) .No.8192 of 2022

28.04.2022

MA(CO)GC(23.05.2022) 2P 4C