



BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

DATED: 15.02.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.14226 of 2021

WEB COPY

1.Ashik Raguman

2.Ragul

... Petitioners/Accused Nos.1 & 2

Vs.

1.State represented by,

The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City,

(Crime No.33 of 2021). ... 1st Respondent/Complainant

2.Subash Kannan

... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in FIR in Crime No.33 of 2021 on the file of the first respondent and quash the same against the petitioners.

For Petitioners

: Mr.T.Selvan

For R - 1

: Mr.K.Sanjai Gandhi

Government Advocate (Crl. Side)

For R - 2

: Mr.P.Kumar

ORDER

The Criminal Original Petition has been filed to quash the proceedings as against the petitioners/Accused Nos.1 & 2 in Crime No.33 of 2021 on the file of the first respondent for the alleged offences under Sections 294(b), 324 and 506(ii) 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 petitioners 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.33 of 2021 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.33 of 2021.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.33 of 2021 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 High Court Legal Services Authority, Madurai Bench of Madras High Court, Madurai, on or before 17.02.2022.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

16/02/2022

Sub Assistant Registrar(CS)

ENCL.: XEROX COPY OF JOINT COMPROMISE

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,
Perumalpuram Police Station,
Tirunelveli City.

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

COPY TO

The Officer-in-Charge,
High Court Legal Services Committee,
Madurai Bench of Madras High Court, Madurai

Order made in

Crl.O.P(MD)No.14226 of 2021
15.02.2022

DKS (CO)

TR(16.02.2022) 2P 4C