



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.14332 of 2020

WEB COPY

1.Kathiravan
2.Vijay
3.Ajithkumar
4.Surendhar
5.Surya Prakash

... Petitioners/Accused Nos.1 to 5

Vs.

1.State represented by,
The Inspector of Police,
Vallam Police Station,
Thanjavur District.
(Crime No.225 of 2019).

... 1st Respondent/Complainant

2.Selvakumar

... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to the FIR in Crime No.225 of 2019 on the file of the respondent police and quash the same as against the petitioners are concerned.

For Petitioners : Mr.A.Arunprasad
For R - 1 : Mr.B.Thanga Aravindh
Government Advocate (Crl. Side)

For R - 2 : Mr.C.Pethanasamy

ORDER

The Criminal Original Petition has been filed to quash the FIR as against the petitioners/Accused Nos.1 to 5 in Crime No.225 of 2019 on the file of the first respondent for the alleged offences under Sections 147, 452, 294(b), 323, 506(i) and 427 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.225 of 2019 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.225 of 2019.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.225 of 2019 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 District Siddha Medical Officer, CCRI, Periyakulam in State Bank of India, Periyakulam Branch bearing Account No.10767823177, IFSC No.SBIN000898, MICR Code No.625002601, on or before 23.02.2022.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

22/02/2022

Sub Assistant Registrar(CS)

Enclose herewith copy of this Joint Compromise Memo
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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,
Vallam Police Station,
Thanjavur District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To
District Siddha Medical Officer,
CCRI, Periyakulam.

Order made in
Crl.O.P (MD) No.14332 of 2020
21.02.2022

MK/22.02.2022/2P/4C

<https://hcservices.ecourts.gov.in/hcservices/>