



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**
Crl.O.P. (MD) .No.15707 of 2020

1.Ramsingh
2.Janaki
3.Sree Ranganathan

...Petitioners/Petitioners/
Accused 1 to 3

Vs.

1.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
(Crime No.68 of 2019)

...Respondent/Respondent/
Complainant

2.Maheswari

...2nd Respondent/2ndRespondent
defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the impugned FIR in Crime No.68 of 2019 on the file of the first respondent police and quash the same.

For Petitioners : Mr.M.Vigneshkumar

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

For R-2 : Mr.G.Aravinthan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.68 of 2019 on the file of the first respondent police, for an alleged offences under Sections 294(b), 506(2) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Section 4 of Tamil nadu prohibition of Charging Exorbitant Interest Act, 2003.

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 petitioners 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No. 68 of 2019 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.68 of 2019, on the file of the first respondent police, is quashed insofar as the petitioners alone and the terms of joint compromise memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.5000/- (Rupees Two Thousand and Five Hundred) as costs, to the High Court Legal Services Authority, Madurai Bench of Madras High Court, Madurai, on or before 03.03.2022.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lr

Encl.: XEROX COPY OF JOINT COMPROMISE MEMO.

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,
Kanyakumari Police Station,
Kanyakumari District.



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

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

+1 CC to M/s.K.VIGNESH KUMAR, Advocate (SR-5783[F] dated 11/02/2022)
+1 CC to M/s.G.ARAVINTHAN, Advocate (SR-5784[F] dated 11/02/2022)

Cr1.O.P. (MD) .No.15707 of 2020
10.02.2022

na (CO)
TR (01.03.2022) 3P 6C