



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.15197 of 2020

1.S.Manikandan
2.B.Prabhu
3.M.Ammasai @ Murugan
4.M.Kannan @ Alagumali ... Petitioners/Accused Nos.1 to 4

Vs.

1.The Deputy Superintendent of Police,
Deputy Superintendent Office,
Thirumangalam,
Madurai District - 625 007.

2.The Inspector of Police,
Kallikudi Police Station,
Kallikudi,
Madurai District.
(In Cr.No.31 of 20160 ...1st & 2nd Respondents/
Defacto Complainant

3.S.Maruthuselvam ...3rd Respondent/Defacto Complainant

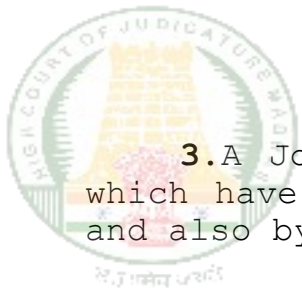
Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the case in Spl.S.C.No.126 of 2018 on the file of the Additional District Court No.III, PCR Court, Madurai and quash the same.

For Petitioners : Mr.K.Suresh
For R1 - R2 : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)
For R3 : Mr.C.Kumar

ORDER

This Criminal Original Petition has been filed to quash the proceedings as against the petitioners in Spl.S.C.No.126 of 2018 on the file of the Additional District Court No.III, PCR Court, Madurai and quash the same.

2.The case is under trial. 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 third 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 proceedings in Spl.S.C.No.126 of 2018 on the file of the Additional District Court No.III, PCR Court, Madurai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.126 of 2018 on the file of the Additional District Court No.III, PCR Court, Madurai, is quashed insofar as the petitioners alone and the terms of joint compromise memo 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 04.05.2022 and the receipt of payment shall be produced before the concerned Court, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar(AS)

// True Copy //

28/04/2022

Sub Assistant Registrar(CS)

vsd

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 Additional District and Sessions Judge No.III,
PCR Court, Madurai.



2.The Deputy Superintendent of Police,
Deputy Superintendent Office,
Thirumangalam,
Madurai District - 625 007.

3.The Inspector of Police,
Kallikudi Police Station,
Kallikudi,
Madurai District.

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

Copy to
The Officer Incharge,
Chief Ministers Public Relief Fund,
Finance(CMPRF) Department, Government of Tamil Nadu,
Secretariat, Chennai 600 009.

Crl.O.P(MD)No.15197 of 2020
27.04.2022

ck(CO)
TR(28.04.2022) 3P C