



BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

DATED: 21.02.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.18982 of 2021

WEB COPY

P.Aakash

... Petitioner/Accused No.10

Vs.

1.The Sub-Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.

... 1st Respondent/Complainant

2.Arul Alexander

... 2nd Respondent/Defacto Complainant

3.Karuppiah

4.Muthupandi

5.Surya

6.Shek Abdulla

7.Jegathesh

8.Manikandan

9.Pradeep

10.Ashoke

11.Dinesh

12.Abilash

13.Aravindh

14.Prabhu

... Respondents 3 to 14/
Accused Nos.1 to 9 & 11 to 13

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to the Crime No.669 of 2019 on the file of the respondent Police Station, Sivagangai and quash the same.

For Petitioner : Mr.M.S.Parthiban, Advocate

For R - 1 : Mr.K.Sanjai Gandhi

Government Advocate (Crl. Side)

For R - 2 : Ms.R.Divya Priya, Advocate

ORDER

The Criminal Original Petition has been filed to quash the FIR as against the petitioner/Accused No.10 in Crime No.669 of 2019 on the file of the first respondent for the alleged offences under Sections 147, 148, 294(b), 324, 452 and 506(ii) of I.P.C and Section 3 of Tamil Nadu Public Property Act, 1992.

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 petitioner and the second respondent and
<https://hccs.courts.tn.nic.in> respective counsel.



4.Under such circumstances, no useful purpose will be served in keeping the FIR in Crime No.669 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the FIR in Crime No.669 of 2019.

5.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.669 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 petitioner 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-III)

// True Copy //

22/02/2022

Sub Assistant Registrar(CS)

(*) Enclosed herewith The 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 District Siddha Medical Officer,
CCRI, Periyakulam.
- 2.The Sub-Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**Order made in
Crl.O.P(MD)No.18982 of 2021
21.02.2022**

RS(22.02.2022) 2P-4C

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