



Crl.O.P.(MD)No.9230 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.05.2023

CORAM:

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.(MD)No.9230 of 2023

1.Sheik Mydeen
2.Tajudeen

...Petitioners

Vs.

1.State rep by,
The Inspector of Police,
Theppakkulam Police Station,
Madurai City.
(Crime No.1034 of 2018)

2.Arun

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in connection with Crime No.1034 of 2018 on the file of the first respondent police and quash the same with respect to the petitioners concerned.

For Petitioners	: Mr.S.Poornachandran
For R-1	: Mr.M.Sakthi Kumar
	Government Advocate (Crl. side)
For R2	: Mr.S.Vijayakumar



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ORDER

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The Criminal Original Petition has been filed to quash the proceedings in Crime No.1034 of 2018, on the file of the first respondent police, for an alleged offences under Sections 147, 148, 294(b), 323, 342, 364A, 392, 397, 506(2) IPC and Sections 3 and 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. The defacto complainant is not willing to proceed the case further in view of the compromise entered between themselves.

3.A Joint Memo of Compromise signed by the petitioners and the second respondent and also by their respective counsel has also been filed before this Court. The petitioners and the second respondent were also present in person before this Court and they were identified by the concerned Police Official. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



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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.1034 of 2018 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.1034 of 2018, on the file of the first respondent police, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

18.05.2023

Index: Yes/No
Internet: Yes/No
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T.V.THAMILSELVI, J.,

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To

- 1.The Inspector of Police,
Theppakkulam Police Station,
Madurai City.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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