



CRL.OP(MD). No.10426 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.11.2024**

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP(MD). No.10426 of 2023

1.Muruganantham

2.Adaikalaraj @ Rasu

3.Ponnukalai

4.Gowri

... Petitioners / Accused 1 to 4

Vs.

1.The State rep by,
The Inspector of Police,
Kottampatti Police Station,
Madurai District.
(Crime No.178 of 2013)

... 1st Respondent /
Complainant

2. Valliselvam

... 2nd Respondent /
Defacto complainant

3. Saranya

... 3rd respondent / Victim

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to Crime No. 178 of 2013 dated 24.06.2013 on the file of the 1st respondent police and



CRL.OP(MD). No.10426 of 2023

to quash the same.

WEB COPY

For Petitioner : Mr.A.V.Arun
For R1 : Mr.A.Albert James,
Government Advocate
(Crl. Side)
For R2 & R3 : Mr.Vijaya Barathi

ORDER

This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.178 of 2013, pending on the file of first respondent.

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. Joint Memo of Compromise dated 13.06.2023 signed by both petitioners and the 2nd and 3rd respondents and their respective counsel has been filed before this Court. In order to identify the respective parties they have also produced the copies of the Aadhaar Card are made part of the record. The 3rd petitioner and the 2nd respondent died during the pendency of this proceedings. The 3rd respondent is the daughter to the 2nd respondent. All the other parties were also

2/5



CRL.OP(MD). No.10426 of 2023

present in person before this Court and they were identified by Mr.M.S.Mohamed Salihil Salman, Sub Inspector of Police, Kottampatty Police Station, Melur Sub-Division, Madurai District. In the Joint Memo of Compromise, it has been stated that the petitioners and the 2nd and 3rd respondents have entered into a compromise and amicably settled their issues in Crime No.178 of 2013, pending on the file of the first respondent. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the case pending, 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)** and after exercising due caution as advised by the Hon'ble Supreme Court in ***The State of Madhya Pradesh v. Dhruv Gurjar and Another*** reported in **(2019) 2 MLJ CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C, quash the FIR in Crime No.178 of 2013, pending on the file of first respondent.



CRL.OP(MD). No.10426 of 2023

5. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.178 of 2013, pending on the file of first respondent is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order.

27.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

pal

To

1. The Inspector of Police,
Kottampatti Police Station,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL.OP(MD). No.10426 of 2023

N.ANAND VENKATESH,J.

pal

Order made in
CRL.OP(MD). No.10426 of 2023

27.11.2024