



Crl.O.P.(MD).No.18657 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2024

CORAM:
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD).No.18657 of 2023
and
Crl.M.P.(MD).No.14731 of 2023

1.Y.Arivalagan
2.T.Arun Kumar
3.K.Mohamed Riyas
4.M.Leo Floyd
5.M.Senthil Kumar
6.M.Yuvaraj

...Petitioners

Vs.

1.The Inspector of Police,
Manapparai Police Station,
Trichy District.
(Crime No.172 of 2023)
2.M.Thiyagaraj

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records pertaining to call for the records in connection with in Crime No.172 of 2023 on the file of the first respondent and quash the same as illegal, arbitrary and against law.

For Petitioners

: Mr.P.Panndiarajan

For R-1

: Mr.B.Thanga Aravindh,

Government Advocate (Crl. Side)

For R-2

: Mr.N.Kamesh

ORDER

<https://www.mhc.tn.gov.in/judis> This Criminal Original Petition has been filed seeking to quash the FIR in



Crl.O.P.(MD).No.18657 of 2023

Crime No.172 of 2023, pending on the file of first respondent.

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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 07.09.2023 signed by both petitioners and the second respondent / De facto Complainant 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 petitioners and the second respondent were also present in person before this Court and they were identified by Mr.V.Dinesh, Sub Inspector of Police, Manapparai Police Station. In the Joint Memo of Compromise, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.172 of 2023, 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



Crl.O.P.(MD).No.18657 of 2023

WEB COPY

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 Crl 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C, quash the FIR in Crime No.172 of 2023, pending on the file of first respondent.

5. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.172 of 2023, 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. Consequently, the connected miscellaneous petition is closed. Each of the petitioner and the second respondent shall pay a sum of Rs.5,000/- (Rupees five thousand only) as costs, to the credit of the TIRUNELVELI ADVOCATES CLERKS ASSOCIATION (Account No:- 176601000003648, IFSC Code:-IOBA0001766, Indian Bank, within a period of four weeks from the date of receipt of copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

6. Post this case for reporting compliance on **20.01.2024**.

Sd/-

28/11/2024

// True Copy //

/01/2025

Sub Assistant Registrar
(CS - I/II/III/IV)



Crl.O.P.(MD).No.18657 of 2023

WEB COPY

1.The Inspector of Police,
Manapparai Police Station,
Trichy District.

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

+1 CC to M/s.P.PANDIARAJAN, Advocate (SR-69484[F] dated 29/11/2024)

Crl.O.P.(MD).No.18657 of 2023

28.11.2024

BV (09/01/2025) 4P/ 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.