



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

**Crl.O.P. (MD) .No.17672 of 2019**

1.C.Prasanth  
2.V.Balaranganathan  
3.K.Kaviyarasan  
4.V.Mugil Vendhan  
5.M.Mugilan  
6.J.Prabakaran  
7.M.Vinoth Raj

... Petitioners

Vs.

1.The Inspector of Police  
Kumbakonam Taluk, Thanjavur District.  
(Crime No.369 of 2016)  
2.Sabanayagam

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the FIR in Crime No.369 of 2016, dated 19.08.2016 for offences under Sections 147, 148, 341 of IPC and Section 3(1) of Prevention of Damage to Public Property Act, 1984 on the file of the respondent No.1 and quash the same as illegal.

For Petitioners : Mr.T.Lajapathi Roy

For R-1 : Mr.K.Suyambulinga Bharathi  
Government Advocate (Crl. side)

For R-2 : Mr.M.Arjun Varman

**ORDER**

The Criminal Original Petition has been filed to quash the proceedings in Crime No. 369 of 2016, on the file of the first respondent police, for the alleged offence punishable under Sections 147, 148, 341 of IPC and Section 3(1) of Prevention of Damage to Public Property Act, 1984.

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.A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the



private respondents were also present in person before this Court and they were identified by the police. 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 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. 369 of 2016, pending on the file of the first respondent police.

5. It is represented by the learned counsel for the petitioners that the petitioners paid a sum of Rs.5000/- (Rupees Five thousand only) as costs to the Credit of the Chief Justice Relief Fund (Payable in Accounts Section of the High Court Registry) and filed the original cash receipt along with this memo on 29.11.2019. The said submission is placed on record.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No. 369 of 2019, 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.

Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Inspector of Police  
Kumbakonam Taluk, Thanjavur District.
2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate ( SR-103065[F] 02/12/2019 )

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das  
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