



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.[MD].No.18542 of 2018

1.Karthik
2.Muthulingam
3.Moovendhar
4.Mahendran
5.Satheesh @ Pandi Murugan
6.Muthu Prabhu : Petitioners/Accused No.1 to 6

Vs.

1.The State represented by its,
The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District. : 1st Respondent/P.W.15

2.The Sub Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District. : 2nd Respondent/P.W.14
(Crime No.96/2014)

3.Murugavel : Respondent/P.W.1

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the entire records relating to the impugned charge sheet in P.R.C.No.9 of 2016 on the file of the learned Judicial Magistrate, Paramakudi and to quash the same.

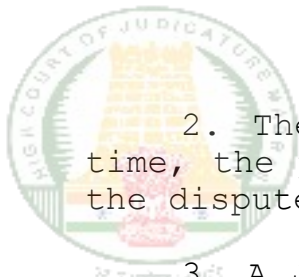
For Petitioners : Mr.M.S.Jeyakarthik

For R-1 & R-2 : Mr.K.Suyambulinga Bharathi
Government Advocate (CrI.side)

For R-3 : Mr.M.Karunanithi

ORDER

The Criminal Original Petition has been filed to quash the proceedings in P.R.C.No.9 of 2016, on the file of the learned Judicial Magistrate, Paramakudi, for an alleged offences under Sections 147, 148, 294(b) and 323 of IPC r/w 3(1)(r)(s) of SC/ST (POA) Amendment Ordinance, 2014.



2. The case is still in the stage of trial. 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 third respondent and also by their respective counsel. The petitioners and the third respondent were also present in person before this Court and they were identified by Mr.R.Muthusamy, Special Sub Inspector of Police and they have also produced the copies of the Aadhaar Card which are made part of the record. 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 P.R.C.No.9 of 2016 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), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in P.R.C.No.9 of 2016.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in P.R.C.No.9 of 2016, on the file of the learned Judicial Magistrate, Paramakudi, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.250/- as costs, to the credit of the "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, SBI, Periyakulam), within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar(CS-III)

rmi

Enclose: Xerox copy of Joint Compromise Memo

To

1.The Judicial Magistrate, Paramakudi

2.The Deputy Superintendent of Police,

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

Paramakudi,
Ramanathapuram District.



3.The Sub Inspector of Police,
Emaneswaram Police Station,
Ramanthapuram District.

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

5.The Section Officer, Criminal Section, (2 copies)
Madurai Bench of Madras High Court,
Madurai.

Copy to
The District Siddha Medical Officer,
C.C.R.I, Periyakulam.

+1cc to Mr.M.S.Jeyakarthik, Advocate in SR No.90636

Cr1.O.P.[MD].No.18542 of 2018

NM/SV/SAR III/26.11.18/3P/9C.