



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. [MD] .No.1096 of 2018

WEB COPY

S.Muthukumar

: Petitioner/Sole Accused

Vs.

1. State through

The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.

[Crime No.315 of 2016].

: 1st Respondent/ De jure

Complainant

2. C.Prabakaran

S/o Chanthirasekar

Represented

by his father /natural guardian

Mr.K.Chanthirasekar

: 2nd Respondent/Defacto

Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records connected with the case in S.C.No.22 of 2017 pending on the file of the Special Court for PCR Cases, Sivagangai and quash the same as illegal.

For Petitioner : Mr.R.Karunanithi

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate[Crl. side]

For R-2 : Ms.M.Manimegalai
for MR.Malaikani

ORDER

The Criminal Original Petition has been filed to quash the case in S.C.No.22 of 2017 on the file of the Special Court, PCR Cases, Sivagangai for the offences under Sections 294(b), 323 IPC r/w Section 3(1)(r) and 3(1)(s) of SC/ST Prevention of Atrocities Act.

2. Now, 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 petitioner and the second respondent and also by their respective counsel. In order to identify the respective parties 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 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)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in S.C.No.22 of 2017 on the file of the Special Court, PCR Cases, Sivagangai

5. This Criminal Original Petition stands allowed and as a sequel, the case in S.C.No.22 of 2017 on the file of the Special Court, PCR Cases, Sivagangai is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.250/- each as costs, to the credit of the "Environment Fund" (payable in Account No.6656485009, Member Secretary, Tamil Nadu State Legal Services Committee), 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 (CS-II)

/True Copy/

Sub Assistant Registrar (CS-II)

Encl.: Xerox copy of Compromise Memo

To

1. The Special Court for PCR Cases,
Sivagangai
2. The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
4. The Member Secretary,
Tamilnadu State Legal Services Authority,
Madurai Bench of Madras High Court,
Madurai.

+1cc to MR.S.Malaikani, Advocate SR.No.80848

Cm

MK/RSK/SAR 2/17.09.2018/2P/6C

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

Cr1.O.P. [MD].No.1096 of 2018
29.08.2018