



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2018

CORAM:

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH  
Crl.O.P.[MD].No.3990 of 2018  
and  
Crl.M.P. (MD)No.2360 of 2018

1.Ajay Ebenezer Infant  
2.Prabhu Infant  
3.Thavithu Muthu  
4.Vivek Kumar

... Petitioners/Accused

Vs.

1.The Inspector of Police,  
Central Police Station,  
Thoothukudi,  
Thoothukudi District.  
(Crime No.280 of 2011)

2.Sundarraaj

3.Manokaran

... Respondents

(R3 impleaded as third respondent vide order dated 01.10.2018)  
made in crl mp(md) 2360/2018 in crl op(md)3990/2018 dated 01.10.2018

COMMON PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to quash the charge sheet filed by the 1<sup>st</sup> respondent police in S.C.No.270 of 2017 pending on the file of the II Additional District and Sessions Court, Thoothukudi.

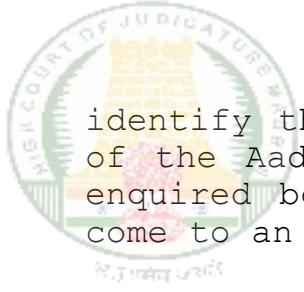
For Petitioners : Mr.N.Pragalathan  
For R-1 : Mr.M.Chandra Sekaran  
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to quash the charge sheet filed by the first respondent police in S.C.No.270 of 2017 pending on the file of the II Additional District and Sessions Court, Thoothukudi.

2. The case is under 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 second and third respondents and also by their respective counsel. In order to



identify the respective parties they have also produced the copies of the Aadhaar Card 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 proceeding 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in S.C.No.270 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.270 of 2017, on the file of the II Additional District and Sessions Court, Thoothukudi, 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/- (Rupees Two Hundred Fifty Only) as costs, to the credit of Rojavanam Home for aged and poor, Account No.6481560540, Indian Bank, Madurai Bench of Madras High Court, Madurai, 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/-  
Joint Registrar(Judicial)

/True Copy/

Sub Assistant Registrar(CS-I)

Enclose: xerox copy of joint compromise memo

das

To

- 1.The II Additional District and Sessions Court,  
Thoothukudi.
- 2.The Inspector of Police,  
Central Police Station,  
Thoothukudi, Thoothukudi District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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

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+1cc to Mr.N.Pragalathan, Advocate in SR No.88042

Cr1.O.P.[MD].No.3990 of 2018  
and  
Cr1.M.P. (MD)No.2360 of 2018

NM/PM/SAR I/30.10.18/3P/7C.