



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD].No.4049 of 2018

and

Cr1.M.P.(MD)No.2358 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.281 of 2011)

2.Thiruthuvathas

... Respondents/Complainants

3.Selvin @ Sivakumar

... Respondent

(R3 impleaded as third respondent vide order dated 01.10.2018)
made in crl mp(md) 2358/2018 in crl op(md)4249/2018

COMMON PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to quash the charge sheet filed by the 1st respondent police in S.C.No.253 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

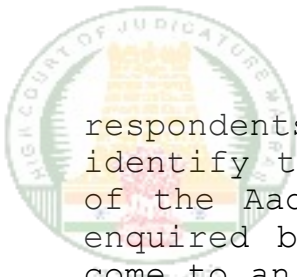
Additional Public Prosecutor

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.253 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.

WEB COPY

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.253 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.253 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.500/- (Rupees Five Hundred 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,
<https://hcservices.ecourts.gov.in/hcservices/>
Madurai Bench of Madras High Court,
Madurai.



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

WEB COPY

+1cc to Mr.N.Pragalathan, Advocate in SR No.88041

Cr1.O.P. [MD] .No.4049 of 2018
and
Cr1.M.P. (MD)No.2358 of 2018

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