



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD].No.41 of 2018

WEB COPY

1.Mohamed Atham

2.Arsath Naina

: Petitioners

Vs.

1.State represented by

The Inspector of Police,
Kilakarai Police Station,
Ramanathapuram District.

2.Missabil Muhaideen

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the entire records pertaining to the FIR in Crime No.151 of 2016 on the file of the first respondent and quash the same.

For Petitioners : Mr.S.A.S.Alaudeen

For R-1 : Mr.R.Anandharaj

Additional Public Prosecutor

For R2 : Mr.Sikkandar Badusha

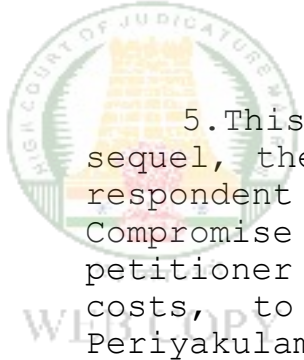
ORDER

The Criminal Original Petition has been filed to quash the case in Crime No.151 of 2016 on the file of the respondent police, for an alleged offences under Sections 294(b), 341, 427 and 307 IPC.

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 has been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.M.Ramesh, SSI of 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, 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.151 of 2016.



5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.151 of 2016 on the file of the respondent police, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.500/- (Rupees Five Hundred only) as costs, to the credit of the "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, IFSC Code.SBIN 0000898, M.I.C.R. Code.625002601, State Bank of India, 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(CO)

/True Copy/

Sub Assistant Registrar(CS-II)

Encl: Xerox copy of Joint Compromise Memo

To

- 1.The Inspector of Police,
Kilakarai Police Station,
Ramanathapuram District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
3. The District Siddha Medical Officer,
CCRI, Periyakulam.

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MM
ES/BK/SAR 2/13.12.2018/2P/4C