



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **31.08.2018**

CORAM:

THE HONOURABLE MR. JUSTICE **N.ANAND VENKATESH**
CrI.O.P. [MD].No.505 of 2018 and 9407 of 2017

and

**CrI.M.P. (MD)No.198, 199 of 2018 in CrI OP(MD)505 of 2018 and 6408,
6409 of 2017 in CrI OP(MD)9407 of 2017**

CrI.O.P. [MD].No.505 of 2018:

1.Vadivel
2.Ramesh @ Balamurugan
3.Subramani : Petitioners /Accused No.1 to 3

/Vs./

1. State represented by the
Inspector of Police,
Thogamalai Police Station,
Thogamalai,
Karur District.
(Crime No.437 of 2015) : 1st Respondent/Complainant

2.Anburani : 2nd Respondent/
De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records from the file of the Judicial Magistrate Court No.1, Kulithalai, Karur District in C.C.No.23 of 2016 and quash the same as it has no prima facie case against the petitioners.

For Petitioners : Mr.M.M.Saravanan
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate
For R-2 : Mr.Syed Ali

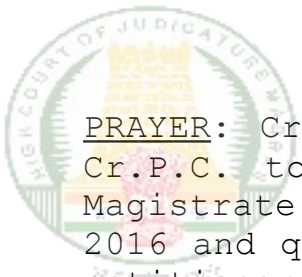
CrI.O.P. [MD].No.9407 of 2017:

1.Anburani
2.Rayappan : Petitioners /Accused No.1 & 2

Vs.

1. State represented by the
Inspector of Police,
Thogamalai Police Station,
Thogamalai,
Karur District.
(Crime No.438 of 2015) : 1st Respondent/Complainant

2. Vadivel : 2nd Respondent/
De-facto Complainant



PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records from the file of the Judicial Magistrate Court No.1, Kulithalai, Karur District in C.C.No.24 of 2016 and quash the same as it has no prima facie case against the petitioners.

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For Petitioners	: Mr.N.Syed Ali
For R-1	: Mr.K.Suyambulinga Bharathi
	Government Advocate
For R-2	: Mr.M.M.Saravanan

COMMON ORDER

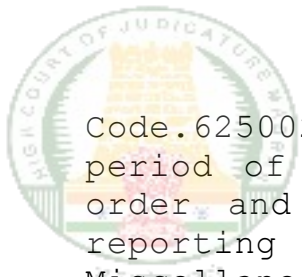
The Criminal Original Petitions have been filed to quash the proceedings in Crime No.437 and 438 of 2015, on the file of the respondent police, for an alleged offences under Sections 294(b), 341, 323 and 506(i) of IPC and under Sections 294 (b), 323, and 506(i) IPC, respectively.

2. The cases are 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 have been signed by the petitioners and the second respondent and also by their respective counsel in both cases. Parties were also present before this Court and they were identified by S.P.Ponnusamy, Sub Inspector Of Police and they have also produced the copies of the Aadhaar Card, which is made part of the record. This Court also enquired the parties on both sides 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 Reports 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 Reports in Crime No.437 and 438 of 2015.

5. This Criminal Original Petitions stand allowed and as a sequel, the proceedings in Crime No.437 and 438 of 2015, on the file of the respondent police, are quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioners in both the cases, shall pay a sum of Rs.300/- (Rupees Three Hundred only) as costs, to the credit of the District 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. Consequently, connected Miscellaneous Petitions are closed.

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Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar(CS-III)

Encl: Xerox copy of Joint Compromise Memo

To

1. The Inspector of Police, Thogamalai Police Station, Thogamalai, Karur District.
2. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

COPY TO

1. The District Siddha Medical Officer, CCRI, Periyakulam.
2. The Section Officer, (2 COPIES)
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

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VB/SKN/SAR3/24.09.2018/3P/6C

Common Order made in
Cr1.O.P.[MD].No.505 of 2018 and 9407 of 2017
31.08.2018