



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.5423 of 2018

1. Kaliyappan
2. Kandasamy @ Ummadurai
3. Pandimuni : Petitioners/Accused Nos.7 to 9

Vs.

1. The State rep.by,
The Inspector of Police,
T.Kallupatti Police Station,
Madurai District. : 1st Respondent/Complainant
2. Mahalingam : 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.224 of 2012 on the file of the Hon'ble IV Additional District Court, Madurai and quash the same as against the petitioners as illegal.

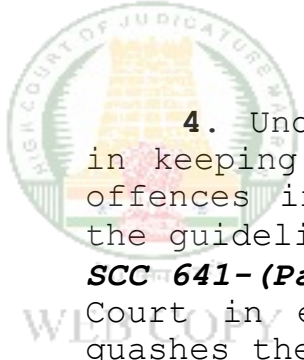
For Petitioners : Mr.R.Alagumani
For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate(Crl.Side)
For R2 : Mr.L.M.Vijay Boominathan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in S.C.No.224 of 2012 on the file of the Hon'ble IV Additional District Court, Madurai.

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 have been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. The parties were also present before the Court 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 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 Gujraht)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in S.C.No.224 of 2012.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.224 of 2012 on the file of the Hon'ble IV Additional District Court, Madurai, in so far as the petitioners herein are concerned 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.300/- (Rupees Three Hundred only) as costs, to the credit of the "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, SBI, 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. It is made clear that the case can proceed insofar as other accused persons are concerned.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar(CS-III)

Encl.: Xerox copy of Compromise Memo

To

1. The IV Additional District Judge, Madurai.
2. The District Siddha Medical Officer,
CCRI, Periyakulam.
3. The The Inspector of Police,
T.Kallupatti Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.R.ALAGUMANI, ADVOCATE IN SR No. 88065

AAV

TE/PM/SAR-3 : 19/11/2018 : 2P/6C