



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2018

CORAM:

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.17701 of 2017

1. Marimuthu
2. Prabhu
3. Bharathy @ Sekar
4. Prasath
5. Nepoliyan

: Petitioners

Vs.

1. The State rep.by,
The Inspector of Police
Taluk Police Station
Dindigul District
(Crime No.967 of 1999)

2. Ponnaiah

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the charge sheet in P.R.C.No.25 of 2006 before the Judicial Magistrate No. **(*)I**, Dindigul and quash the same.

For Petitioners : Mr.S.Dheenadhayalan

For R1 : Mr.K.Suyambulinga Bharathi,
Government Advocate(Crl.side)

For R2 : Mr.T.Sathiyanathan.

ORDER

The Criminal Original Petition has been filed to quash the proceedings in P.R.C.No.25 of 2006 on the file of the learned Judicial Magistrate No. **(*)I**, Dindigul for an offences under Sections 147, 148, 307 and 506(ii) of IPC

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.

<https://hcservices.ecourts.gov.in/hcservices/>

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. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr..R.Rengaraj, SSI of Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

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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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in P.R.C.No.25 of 2006.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in P.R.C.No.25 of 2006, on the file of the Judicial Magistrate No. (*) I, Dindigul, 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 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.

Sd/-

Assistant Registrar(RTI)

**(*)Rank of the Judicial Magistrate No.II
is amended as Judicial Magistrate No.I
as per order dated 13.11.2018 by ADJCJ
in CrI.MP(MD)No.9187/2018 in CrI.OP(MD)No.
17701/2017**

/True Copy/

Sub Assistant Registrar(CS-IV)

To

To be substituted in the order already despatched dated 04/10/2018

1. The Judicial Magistrate No.II, Dindigul.
2. **(*)The Judicial Magistrate No.I, Dindigul.**
3. The District Siddha Medical Officer,
CCRI, Periyakulam.
4. The Inspector of Police,
Taluk Police Station, Dindigul District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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