



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.11711 of 2018

Babu @ Mohammed Babu

: Petitioner / Accused No.6

Vs.

1. State Represented by
The Inspector of Police,
Central Police Station,
Thoothukudi Town,
Thoothukudi District.
(Crime No.327 of 2014)

: 1st Respondent / Complainant

2. Anthony Cruz

: 2nd Respondent /
De facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the First Information Report in Crime No.327 of 2014 on the file of the first respondent police and quash the same in respect of the petitioner.

For Petitioner : Mr.P.Banu Prasath
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)
For R-2 : Mr.K.Kulanthai Vikram

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.327 of 2014, on the file of the respondent police, for an alleged offences under Sections 147, 148, 294 (b), 342, 323, 324 and 506 (ii) 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 have been signed by the petitioner and the second respondent and also by their respective counsel. Parties were also present before this Court and they were identified by K.Saravanan, Special 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. The learned Government Advocate would submit that the respondent police has investigated the case and a final report has been filed and taken on file in C.C.No.116 of 2018 by the learned Judicial Magistrate No.II, Thoothukudi. Even in the final report, this petitioner has been arrayed as A6.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.327 of 2014, on the file of the respondent police, is quashed only insofar as this petitioner / A6 is concerned and the Court below can proceed further insofar as the other accused persons are concerned and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.500/- (Rupees Five Hundred only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), 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 Compromise Memo
To**

1. The Inspector of Police,
Central Police Station,
Thoothukudi Town,
Thoothukudi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To:-

The Section Officer, Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.P.BANU PRASATH, ADVOCATE IN SR No. 82271

SM

TE/RSK/SAR-2 : 20/09/2018 : 2P/5C

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

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