



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.8118 of 2018

and

Crl.M.P.[MD].Nos.3680 and 3681 of 2018

Poorana Narayanan : Petitioner/Accused No.1

Vs.

1.The State Represented by
The Deputy Superintendent of Police,
Andipatti, Theni District. :1st Respondent/Investigation Officer

2.The Sub Inspector of Police,
K.Vilakku Police Station,
Theni District.
[In Crime No.132 of 2011] :2nd Respondent/Complainant

3.Thangaraj : 3rd Respondents/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records relating to the Charge Sheet in Spl.S.C.No.45 of 2017 on the file of the Principle District & Sessions Court, Theni and quash the same as illegal so far as the petitioner is concerned.

For Petitioner : Mr.R.Gandhi

For R1 & R2 : Mr.K.Suyambulinga Bharathi

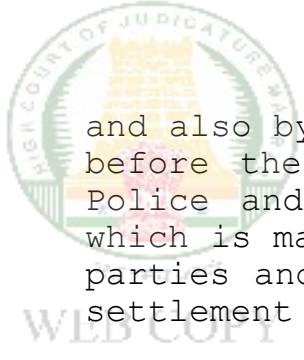
Government Advocate [Criminal Side]

ORDER

The Criminal Original Petition has been filed to quash the proceedings Spl.S.C.No.45 of 2017 on the file of the learned Principle District & Sessions Court, Theni, for an alleged offences under Sections 3 (1)(iv) & 3(2) (vii)of SC/ST (Prevention of Atrocities) Act, 1989.

2. The case is still in 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 third respondent



and also by their respective counsel. The parties were also present before the Court and they were identified by Mr.Gopalsamy, SI of Police and they have also produced the copy of the Aadhaar Card which is 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Spl.S.C.No.45 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.45 of 2017, on the file of the learned Principle District & Sessions Court, Theni, is quashed 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/- as costs, to the credit of "Environment Fund" (payable in Account No.6656485009, Member Secretary, Tamil Nadu State Legal Services authority, chennai) 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.

Sd/
Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar(CS-III)

Encl:Xerox Copy of Joint Compromise Memo dated 20.08.2018.

To

- 1.The Principle District & Sessions Court, Theni.
- 2.The Deputy Superintendent of Police,
Andipatti, Theni District.
- 3.The Sub Inspector of Police,
K.Vilakku Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.Gandhi, Advocate, SR.No. 80234

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and

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