



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.[MD].No.9231 of 2018

WEB COPY

1.Rajiv Ganthi
2.Sakthikumaran
3.Viknesh : Petitioners/Accused 1 to 3

Vs.

1.State Represented by
The Inspector of Police,
Kalakad Police Station,
Tirunelveli District. : Respondent/Complainant
2.Mathanagopal : 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.53 of 2017, dated 11.02.2017, on the file of the first respondent and quash the same.

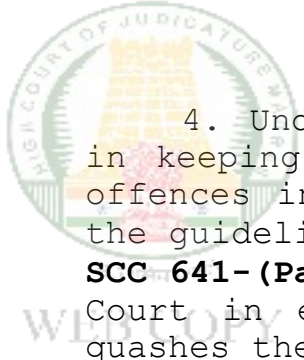
For Petitioners : Mr.K.Navaneetharaja
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)
For R-2 : Mr.M.Kaushikan

ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.53 of 2017, dated 11.02.2017, on the file of the first respondent.

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 petitioner and the second respondent and also by their respective counsel. In order to identify the respective parties 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.53 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the First Information Report in Crime No.53 of 2017, dated 11.02.2017, on the file of the first respondent, is quashed insofar as the petitioner herein is concerned 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 "Rojavanam, Home for aged and poor, Account No.6481560540, Indian Bank, Madurai Bench of Madras High court, Madurai", 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(AS)

/True Copy/

Sub Assistant Registrar(CS-III)

sj i

Enclose : Xerox Copy of Joint Compromise Memo.
To

- 1.The Inspector of Police,
Kalakad Police Station,
Tirunelveli District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.K.Navaneetha Raja, Advocate in SR No.89087

Cr1.O.P. [MD].No.9231 of 2018