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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 10.08.2018

CORAM:
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.[MD].No.9197 of 2018
and
CrI.M.P.[MD].No.6357 of 2018

1.Sambu Ravuthar
2.Balamurugan
3.Anada Balamurugan
4.Balamurugan
5.Boominathan
6.Saravanan
7.Senthil Kumar
8.Vignesh
9.Rafeek Raja

: Petitioners

Vs.

1. The State Represented Through
The Inspector of Police,
Koodal Pudur Police Station,
Madurai City.
[In Crime No.795 of 2017]

2. Rajesh Kannan

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records of Charge Sheet in S.C.No.157 of 2018, on the file of the learned Additional Chief Judicial Magistrate, Madurai and quash the same as illegal.

For Petitioners : Mr.S.M.A.Jinnah

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate [Criminal Side]

For R-2 : Mr.M.Kaushikan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in S.C.No.157 of 2018, on the file of the learned Additional Chief Judicial Magistrate, Madurai, for an alleged offences under Sections 147, 148, 294(b), 341,323, 307, 506(2) and 34 of IPC.

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 petitioners and the second respondent



and also by their respective counsel. In order to identify the respective parties they have also produce the copy of the Aadhaar Card 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.

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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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in S.C.No.157 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.157 of 2018, on the file of the learned Additional Chief Judicial Magistrate, Madurai, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.1,000/- 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS- I)

To

1. The Additional Chief Judicial Magistrate, Madurai.

2. The Inspector of Police,
Koodal Pudur Police Station, Madurai City.

3. 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.

+1CC to Mr.S.M.A.Jinnah, Advocate, SR.No. 78078

Cr1.O.P.[MD].No.9197 of 2018 and
Cr1.M.P.[MD].No.6357 of 2018

SJI

ES/SKN/RSK/SAR 1/23.08.2018/2P/6C