



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WEB COPY

Crl.O.P.(MD).No.10924 of 2018

1.Raja

2.Abraham Lingam

...Petitioners/Accused Nos.1 to2

Vs.

1.The Sub-Inspector of Police,
Aviyur Police Station,
Virudhunagar District.
(Crime No.75 of 2018)

... Respondent/Complainant

2.S.Ramar

...Respondent /De-facto
complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to Crime No.75 of 2018 on the file of the first respondent police and quash the same as illegal.

For Petitioners :Mr.S.Thirupathy

For R1

:Mr.M.Chandrasekaran

Additional Public Prosecutor

For R2

:Mr.S.Manikandan

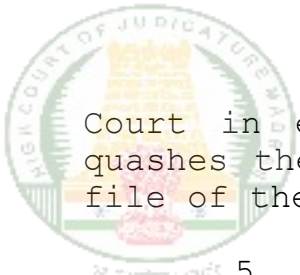
O R D E R

This Criminal Original Petition has been filed to quash the First Information Report registered in Crime No.75 of 2018, for an alleged offences under Sections 147, 148, 149, 295, 295(A) IPC and Section 3 of TNPPDL Act, on the file of the first respondent.

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 has been signed by the petitioners and 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.Alagurathinam, SSI of Police. 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.75 of 2018 on the file of the first respondent police.

5. This Criminal Original Petition stands allowed and as a sequel, the First Information Report in Crime No.75 of 2018 on the file of the first respondent police, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.1,000/- (Rupees One Thousand 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 (Records)

/True Copy/

Sub Assistant Registrar (CS-IV)

ENCL: XEROX COPIES OF JOINT COMPROMISE MEMO:
To

1. The Sub-Inspector of Police,
Aviyur Police Station,
Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to
The Section Officer,
Account Section,
Madurai Bench Of Madras High Court,
Madurai.

+1CC TO MR.S.THIRUPATHY ADVOCATE IN S.R.NO.78600.

RMK
DS SKN SAR-4:25.09.2018: 2P/5C

Cr1.O.P. (MD) .No.10924 of 2018
13.08.2018