



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.[MD].No.10948 of 2018

and

CrI.M.P.(MD)No.4947 of 2018

1.Sivakumar
2.Dhanabalan
3.Dhamodharan
4.Vijayamoorthy

: Petitioners/1st to 4th Accused

Vs.

1.The State represented by
The Insepctor of Police,
East Police Station,
Kovilpatti
Tuticorin District.
(Cr.No.632 of 2011)

:Respondent/Complainant

2.Thangamariappan

: Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the charge sheet filed by the respondent before the learned Judicial Magistrate No.1, Kovilpatti as C.C.No.24 of 2016 and quash the same as against these petitioners.

For Petitioners : Mr.B.Rajesh Saravanan

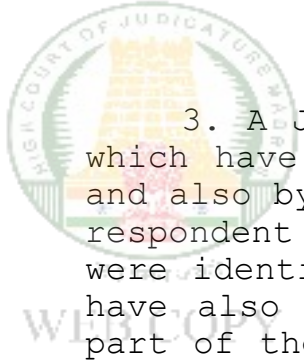
For R-1 : Mr.M.Chandra Sekaran
Additional Public Prosecutor

For R-2 : Mr.K.Balamurugan

ORDER

The present Criminal Original Petition has been filed to quash the proceedings in C.C.No.24 of 2016, on the file of the learned Judicial Magistrate No.1, Kovilpatti, for an alleged offences under Sections 294(b), 342, 324, 323, 506(i) IPC @ 294 (b), 323, 324 and 506(i) IPC r/w 109 IPC and 342 IPC.

2. The case is still in the stage of 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 has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.T.Manimaran, Sub-Inspector of Police and 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 C.C.No.24 of 2016.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.24 of 2016, on the file of the learned Judicial Magistrate No.1, Kovilpatti, is quashed 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/- 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(Crl.Side)

/True Copy/

Sub Assistant Registrar(CS-III)

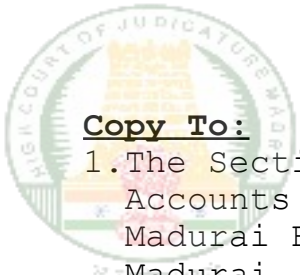
Encl: Xerox Copy of Joint Compromise Memo.

To

1.The Judicial Magistrate No.1, Kovilpatti

2.The Inspector of Police,
East Police Station,
Kovilpatti,
Tuticorin District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**Copy To:**

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

2.The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai. 2-COPIES

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