



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.10.2018**

CORAM:

THE HONOURABLE MR.JUSTICE **N.ANAND VENKATESH**

Crl.O.P. [MD].No.19189 of 2018

WEB COPY

1.Sivasankar
2.Samidurai
3.Selvakumar
4.Mohan

: Petitioners/Accused

Vs.

1. The State represented by
The Sub inspector of Police,
Courtallam Police Station,
Tirunelveli District. : 1st Respondent/Complainant
[Crime No.155 of 2018]

2.Sankar : 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records pertaining to the case in Crime No.155 of 2018 on the file of the 1st respondent and quash the same.

For Petitioners: Mr.G.Vanjinathan

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate[Crl. side]

For R-2 : Mr.K.N.Balasubramanian

ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.155 of 2018, on the file of the first respondent police, for an alleged offences under Sections 294(b), 323 and 506(i) of IPC and 3 (1) (r) & 3(2) (va) of the Schedule Caste and the Schedule Tribes (Prevention of Atrocities) Amendment Act 2015.

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. The parties were also present before the Court and they were identified by Mr.Seyad Sikkandar, Special 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 Crime No.155 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the First Information Report in Crime No.155 of 2018, on the file of the first respondent police, 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/- [Rupees Five Hundred only] as costs, to the credit of the "Environment Fund" (payable in Account No.6656485009, Member Secretary, Tamil Nadu State Legal Services Committee, 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.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar(CS-II)

ENCL: Xerox copy of Joint Compromise Memo
To

1. The Sub inspector of Police,
Courtallam Police Station,
Tirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

1. The Member Secretary,
Tamil Nadu State Legal Services Authority,
Chennai.
2. The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.



3. The Section Officer, (2 copies)
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

WEB COPY

+1cc to Mr.G.Vanjinathan, Advocate Sr.No.92815

DSK

VB/SV/SAR2/23.11.2018/3P/8C

CrI.O.P.[MD].No.19189 of 2018
29.10.2018