



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.10.2018

CORAM:

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

Crl.O.P. [MD].No.19229 of 2018

and

Crl.M.P. [MD].No.8651 of 2018

1.Ramakrishnan

2.Balamurugan

3.Veerasamy

4.Anbalagan @ Murugan

5.Annalingam

6.Vaikundaraja

7.Thirunamaselvam

8.Jeyan

9.Manikandan

10.Azhakesan

...Petitioners/Accused No.1 to 10

11.Radhakrishnan

12.Kannan

...Petitioners/Accused Rank Not
Known

Vs

1.The State represented by
The Sub Inspector of Police,
Ethamozhi Police Station,
Kanyakumari District.
Crime No.181 of 2014

...Respondent/Complainant

2.R.Chellam

... Respondents/Defacto Complainant

PRAYER:Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the First Information Report in Crime No.181 of 2014 on the file of the Sub Inspector of Police, Ethamozhi, Kanyakumari District and quash the same.



For Petitioners : Mr.S.Alagusundar
For R-1 : Mr.R.Anandharaj
Additional Public Prosecutor
For R2 : Mr.C.Bethanasamy

WEB COPY

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.181 of 2014 on the file of the first respondent, for an alleged offence under Sections 147, 148, 294(b), 447, 448 and 506(ii) IPC and r/w Section 3(1) of TNPDL Act.

2.The case is still at 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 the second respondent and also by their respective counsel. In order to identify the respective parties they have also produced the copy of their Aadhaar Cards, 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.181 of 2014.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.181 of 2014 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.250/- as costs, to the credit of the "Environment Fund" (payable in Account No.6656485009, Member Secretary, Tamil Nadu State Legal Services Committee) 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, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //



To

1. The Sub Inspector of Police,
Ethamozhi Police Station,
Kanyakumari District.

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

COPY TO

THE MEMBER SECRETARY,
TAMIL NADU STATE LEGAL SERVICE COMMITTEE,
CHENNAI.

+1 CC To Mr.S.Alagusundar, Advocate SR. NO. 92404

Cr1.O.P.[MD].No.19229 of 2018

MM

TR/SKN/SAR-III (30.10.2018) 3P 5C