



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].Nos.11419 and 18593 of 2018

and

Crl.M.P.(MD)No.5195 of 2018

in

Crl.O.P.(MD)No.11419 of 2018

K.Balasubramanian

... Petitioner / Accused No.1
in Crl.O.P.(MD)No.11419 of 2018

1.Kumaran

2.P.Kumar @ Sivakumar

3.G.Senthil Kumar

4.Ramesh Kumar

5.Manikandan

6.P.Sathishkumar

7.Sampath Kumar

... Petitioners / Accused Nos.2 to 8
in Crl.O.P.(MD)No.18593 of 2018**Vs.**1. State by Inspector of Police,
Kodaikanal Police Station,
Kodaikanal....1st Respondent / Complainant
in both Crl.O.Ps.

2. K.Manoj @ Manojkumar

... 2nd Respondent / Defacto
Complainant in both Crl.O.Ps.

COMMON PRAYER : Criminal Original Petitions are filed under Section 482 of Cr.P.C. to call for the records relating to the charge sheet dated 25.08.2011 filed in P.R.C.No.2 of 2014 pending on the file District Munsif Cum Judicial Magistrate, Kodaikanal and quash the same insofar as the petitioners are concerned.

For Petitioners

: Mr.V.Sitharanjandas
in both Crl.O.Ps.

For R1

: Mr.K.Suyambulinga Bharathi
Government Advocate [Crl. Side]
in both Crl.O.Ps.

For R2

: Mr.V.Nagarajan
in both Crl.O.Ps.

**COMMON ORDER**

These Criminal Original Petitions have been filed to quash the charge sheet in P.R.C.No.2 of 2014 on the file District Munsif Cum Judicial Magistrate, Kodaikanal.

2.The case is still in the stage of committal. 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 in both petitions and also by their respective counsel. In order to identify the respective parties, 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 case 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 Gujraht)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the charge sheet in P.R.C.No.2 of 2014 on the file District Munsif Cum Judicial Magistrate, Kodaikanal.

5.These Criminal Original Petitions stand allowed and as a sequel, the charge sheet in P.R.C.No.2 of 2014 on the file District Munsif Cum Judicial Magistrate, Kodaikanal, 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.4,000/- as costs, to the credit of the "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, SBI, Periyakulam), 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)



1. The District Munsif Cum Judicial Magistrate,
Kodaikanal.

2. The Inspector of Police,
Kodaikanal Police Station,
Kodaikanal.

Copy To:-

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

2. The District Siddha Medical Officer,
CCRI, Periyakulam.

+ 1 CC TO Mr.V.SITHARANJAN DAS, ADVOCATE IN SR No. 92125

MYR

TE/SKN/SAR-1 : 01/11/2018 : 3P/6C

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