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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.19296 of 2018

1.S.Gunaseelan
2.S.Chithra
3.S.Gowtham
4.S.P.Rajan .. Petitioners/Accused 1 to 4

Vs.

1. The State Through
   The Inspector of Police,
   Palanichettipatti Police Station,
   Theni District.
   [Crime No.397 of 2018] .. 1st Respondent/De jure Complainant

2.V.Puvaneshwari .. 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records connected with the case in Crime No.397 of 2018 pending on the file of the respondent Police and quash the same as illegal with regard to the petitioners are concerned.

For Petitioners : Mr.S.Malaikani

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

For R-2 : Mr.A.Abdul Kabur

ORDER

The Criminal Original Petition has been filed to quash the case in Crime No.397 of 2018 pending on the file of the respondent Police, for the alleged offences under Sections 147, 294 (b) and 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Charging of Exorbitant Interest Act.

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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 the 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.397 of 2018.

5.This Criminal Original Petition stands allowed and as a sequel, the First Information Report in Crime No.397 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 "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.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS-I)

Encl: Xerox copy of Joint Compromise Memo

To

1. The Inspector of Police,
Pathanchettipatti Police Station,
Theni District.

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

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

+2cc to Mr.S.Malaikani,Advocate Sr.No.92658

DSK

VB/SKN/SAR1/29.11.2018/3P/6C

Crl.O.P.[MD].No.19296 of 2018
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