



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.[MD].No.11618 of 2018

WEB COPY

1. Subramanian
2. Thavamani
3. Pillathi Guru
4. Ramesh
5. Manikandan
6. John Murugan
7. Abdul Majid : Petitioners/Accused 1 to 7

Vs.

1. The State rep.by,
The Inspector of Police
Anna Nagar Police Station
Madurai City
(Crime No.404 of 2018) :1st Respondent/Complainant
2. Sadiq Batcha :2nd Respondent/Defacto Complainant

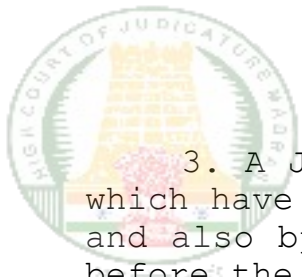
PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records of the proceedings in C.C.No.259 of 2018 on the file of the learned Judicial Magistrate No.VI, Madurai and quash the same as illegal and devoid of merits.

For Petitioners : Mr.M.Jegadeesh Pandian
For R1 : Mr.K.Suymbulinga Bharathi
Govt Advocate (Crl.Side)
R2 : Mr.B.Viswanathan.

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.259 of 2018 on the file of the learned learned Judicial Magistrate No.VI, Madurai.

2. The case is under 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 have 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.B.Balamurugan, SI of Police. 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 proceedings in C.C.No.259 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.259 of 2018, on the file of the learned Judicial Magistrate No.VI, Madurai, 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 "Cancer Institute (WIA) Gandhi Nagar Canal Bank Road, Adyar, Chennai- 20" (payable in Account No.149710011000002, Savings Bank, Andhra Bank, Madhya Kailash Branch, Cancer Institute(WIA) Campus, Sardar Patel Road, Chennai- 36, Branch Name and Code: 1497,MICR No.600011049, IFSC Code: ANDB0001497), 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(CS-I)

/True Copy/

Sub Assistant Registrar(CS-II)

Encl: Xerox copy of Joint Compromise Memo

To

1. The Officer Incharge,
Cancer Institute (WIA)
Gandhi Nagar Canal Bank Road,
Adyar, Chennai- 20"

2. The Inspector of Police
<https://hcservices.ecourts.gov.in/hcservices/>
Anna Nagar Police Station
Madurai City



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

WEB COPY

- 1 CC TO Mr.M.Jegadeesh Pandian , ADVOCATE IN SR No.86614.
-
- AAV
- DS RP SAR 2 /24 10 2018/ 3P 5C

Cr1.O.P.[MD].No.11618 of 2018
24.09.2018