



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.08.2018**

CORAM:

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

Crl.O.P. [MD]No.11815 of 2018

WEB COPY

Sithik

: Petitioner/Accused No.1

Vs.

1. State through

The Inspector of Police,
South Gate Police Station,
Madurai City.

(In Crime No.661 of 2017)

:1st Respondent/Complainant

2.C.B.Shasti

:2nd Respondent/Defacto
complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records of First Information Report in Crime No.661 of 2017 on the file of the respondent No.1 and quash the same as illegal.

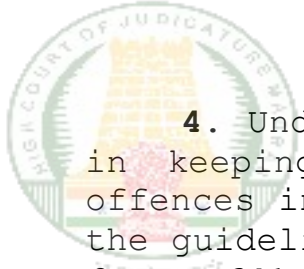
For Petitioner	: Mr.S.M.A.Jinnah
For R-1	: Mr.K.Suyambulinga Bharathi Government Advocate [Crl Side]
For R-2	: Mr.M.Kaushikan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.661 of 2017 on the file of the first respondent, for an alleged offences under Section 392 IPC.

2.The learned Government Advocate(Crl.side) appearing for the first respondent submitted that during the pendency of this petition, a final report has been filed by the first respondent and the same is taken on file in C.C.No.257 of 2018 on the file of the learned Judicial Magistrate No.IV, Madurai. 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 petitioner and the second respondent and also by their respective counsel. In order to identify the respective parties they have also produced the copy of the Aadhaar Card which is 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 C.C.No.257 of 2018 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 Guj Rath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in C.C.No.257 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.257 of 2018 pending on the file of learned Judicial Magistrate No.IV, Madurai, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1,500/- as costs, to the credit of the "Environment Fund" (payable in Account No.6656485009, Member Secretary, Tamil Nadu State Legal Services Authority, 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(w)

/True Copy/

Sub Assistant Registrar(CS-I)

ENCL: Xerox copy of Joint Compromise Memo

To

1. The Judicial Magistrate No.IV,
Madurai.
2. The Inspector of Police,
South Gate Police Station,
Madurai City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
4. The Member Secretary,
Tamil Nadu State Legal Services Authority,
Madras High Court Campus,
Chennai.

+1cc to Mr.S.M.A.Jinnah, Advocate Sr.No.80407

GNS

VB/SKN/SAR1/26.09.2018/2P/6C

<https://hcservices.ecourts.gov.in/hcservices/>

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