



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD].No.11849 of 2018

1.Beer Mohamed  
2.Syed Ibrahim  
3.Mohaideen Pichai : Petitioners

Vs.

1.The State Represented by  
The Inspector of Police,  
Sayalkudi Police Station,  
Ramnad District.

2.Musafer Adimai : Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to C.C.No.174 of 2013, on the file of the Judicial Magistrate, Mudukulathur, insofar as the petitioner is concerned and quash the same.

For Petitioners : Mr.D.Venkatesh  
For R-1 : Mr.M.Chandrasekaran  
Additional Public Prosecutor

For R-2 : Mr.P.Mani Anandh  
for Mr.T.Lenin Kumar

#### ORDER

The present Criminal Original Petition has been filed to quash the proceedings in C.C.No.174 of 2013, on the file of the Judicial Magistrate, Mudukulathur, for an alleged offences under Sections 294 (b), 323, 324 and 506(i) of IPC.

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 petitioners and the second respondent were also present in person before this Court and they were identified by Mr.Mr.S.Nagarajan, 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 First Information Report in C.C.No.174 of 2013.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.174 of 2013, on the file of the Judicial Magistrate, Mudukulathur 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.1,000/- as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), 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 (CO)

/True Copy/

Sub Assistant Registrar (CS II)

(HERE ENTER THE JOINT MEMO OF COMPROMISE-XEROX COPY)

To

1.The Judicial Magistrate, Mudukulathur.

2.The Inspector of Police,  
Sayalkudi Police Station,  
Ramnad District.

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

4. The Registrar (Judicial)  
/Additional Registrar General, (i/c)  
Madurai Bench of Madras High Court,  
Madurai.

1CC TO MR. R. VENKATESH ADVOCATE SR 77815

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