



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD].No.11968 of 2018

1.Syed Ibrahim
2.Rasheek Rasheed
3.Frosh Khan
4.Syed Ali Fathima

:Petitioners/Accused Nos.1 to 4

Vs.

1.The State Represented by
The Inspector of Police,
E3 Anna Nagar (L&O) Police Station,
Madurai City.
[Crime No.1589 of 2016].

:1st Respondent/Complainant

2.Rajakili

:2nd Respondents/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records of Charge Sheet in C.C.No.441 of 2016, on the file of the learned Judicial Magistrate No.VI, Madurai and quash the same as illegal.

For Petitioners : Mr.S.M.A.Jinnah
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate [Criminal Side]

For R-2 : Mr.M.Kaushikan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.441 of 2016, on the file of the learned Judicial Magistrate No.VI, Madurai, for an alleged offences under Sections 294(b), 324 and 506(ii) 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. 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 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.441 of 2016.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.441 of 2016, 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.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 (P&A)

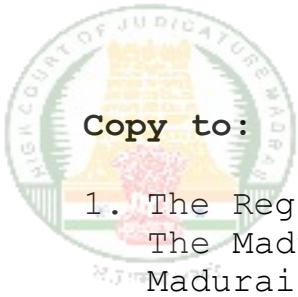
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Sub Assistant Registrar(CS-II)

Encl:Joint Compromise Memo enclosed alongwith this order.

To

1. The Judicial Magistrate No.VI,
Madurai.
2. The Inspector of Police,
E3 Anna Nagar (L&O) Police Station,
Madurai City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



1. The Registrar (Judicial),
The Madurai Bench of Madras High Court,
Madurai.

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2. The Section Officer,
Accounts Section,
The Madurai Bench of Madras High Court,
Madurai.

3. The Section Officer,
Criminal Section (Records),
The Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+ 1 CC TO MR.S.M.AJINNAH, ADVOCATE IN SR NO.78079

SJI

BU/SKN/SAR-II : 28.09.2018 : 3P/9C

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10.08.2018