



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD]No.12151 of 2018

1.T.Mohan
2.Jeyalakshmi
3.Rajesh

: Petitioners/Accused No.1 to 3

Vs.

1. The State of Tamilnadu
Rep.by Inspector of Police,
City Crime Branch,
Madurai City Police Station,
Madurai.

:1st Respondent/Complainant

2. T.Jeyasupradeepan

:2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to Crime No. (*)84 of 2017, dated 27.12.2017, for the offence under Sections 406, 418, 420, 465 and 468 of Indian Penal Code, on the file of the first respondent Police and quash the same.

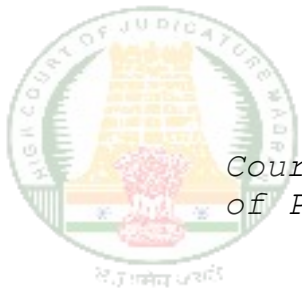
For Petitioners	: Mr.AL.Kannan
For R-1	: Mr.K.Suyambulinga Bharathi Government Advocate[Cr1. side]
For R-2	: Mr.B.Thanga Aravindh

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No. (*)84 of 2017 on the file of the first respondent Police , for an alleged offence under Sections 406, 418, 420, 465 and 468 of Indian Penal Code .

2.During the last occasion, the following order was passed by this Court:-

"The learned counsel appearing for the petitioners submit that the matter has been compromised between the parties and a compromise memo has also been filed. A joint compromise memo entered into between the parties before the Mediation and Conciliation Centre attached to this Bench, was placed before this Court and the same was recorded by this Court in Cr1.O.P.(MD).No.1544 of 2018 and an order was passed on 22.03.2018, in terms of joint compromise memo.



2. Today, the petitioners are present before this Court. They are identified by Mr.Periyadikkan, S.S.I of Police.

3. Post the matter on 10.08.2018, for the presence of the second respondent, who is the de facto complainant.

4. Post the matter under the caption "for reporting settlement" at 02.15 p.m."

Today the second respondent is also present and he stated that the matter has been compromised and he is withdrawing the complaint. 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 Mr.N.Periyadikkan, SSI 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 proceedings in Crime No. (*)84 of 2017.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No. (*)84 of 2017, 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.1,000/- 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 (CO)

**(*)AMENDED AS PER ORDER OF THIS
COURT IN CRL OP(MD)No.12151 of 2018
DATED 29.10.2018 BY NAVJ**



Encl.: Xerox copy of Compromise Memo

To

TO BE SUBSTITUTED TO THE ORDER ALREADY DESPATCHED ON 26.9.2018

1. The Inspector of Police,
City Crime Branch,
Madurai City Police Station,
Madurai.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To:-

The Officer-in-charge,
District Siddha Medical Officer,
CCRI, Periyakulam.

- + 1 CC TO Mr.B.THANGA ARAVINDH, ADVOCATE IN SR No. 80383
- **2 CC TO Mr.A.L.KANNAN, ADVOCATE IN SR No. 80595,96438**

GNS

TE/RSK/SAR-3 : 19/09/2018 : 3P/6C

KK/RP/SAR-2/28.11.2018/3P-7C

Cr1.O.P.[MD]No.12151 of 2018
27.08.2018