



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD].No.12284 of 2018

WEB COPY

1.Alagu Somasundaram
2.Kuttaiyan Chettiar
3.Narayanan Chettiar

: Petitioners

Vs.

1.The State Represented Through
The Inspector of Police,
District Crime Branch,
Sivagangai, Sivagangai District.
[Crime No.8 of 2014]

2.Alagarsamy

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in C.C.No.1 of 2016 pending on the file of Judicial Magistrate, No.II, Sivagangai and quash the same.

For Petitioners : Mr.S.Muthukumar

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate [Criminal Side]

For R-2 : Mr.S.Sundarapandian

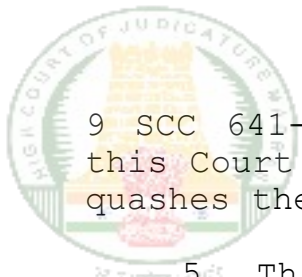
ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.1 of 2016 pending on the file of Judicial Magistrate, No.II, Sivagangai, for an alleged offences under Sections 420 and 120(b) 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.1 of 2016 .

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.1 of 2016 pending on the file of Judicial Magistrate, No.II, Sivagangai, 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(CS-II)

/True Copy/

Sub Assistant Registrar(CS-I)

Encl: Xerox copy of Joint Compromise Memo

To

1. The Judicial Magistrate, No.II, Sivagangai.
2. The Inspector of Police, District Crime Branch,
Sivagangai, Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
4. The Section Officer,Account Section,
Madurai Bench of Madras High Court,
Madurai.
5. The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.S.Muthukumar, Advocate, SR.No. 78116

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SJI

ES/SKN/RSK/SAR 1/28.08.2018/2P/7C