



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

Cr1.O.P.[MD].No.12702 of 2018

1.Perumal
2.Karuppaiah
3.Ponnusamy : Petitioners/Accused Nos.1, 3 & 4
Vs.

1.State Represented by
The Inspector of Police,
Kariyur Police Station,
Pudukottai District. : 1st Respondent/Complainant
[Crime No.87 of 2016]

2.Palanisamy : Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the First Information Report in Crime No.87 of 2016 on the file of the first respondent police and quash the same.

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

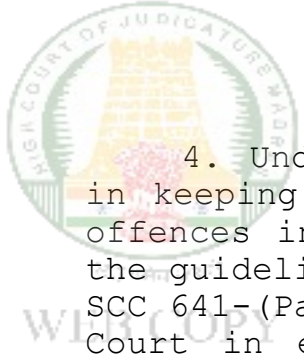
For R-2 : Mr.V.Chandrapandi

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.87 of 2016 on the file of the first respondent police for an alleged offences under Sections 366(A) and 109 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 copies of the Aadhaar Card 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 First Information Report in Crime No.87 of 2016.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.87 of 2016 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.750/- as costs, to the credit of the "Environment Fund" (payable in Account No.6656485009, Member Secretary, Tamil Nadu State Legal Services Committee), 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(RTI)

/True Copy/

Sub Assistant Registrar(CS-III)

Encl: Xerox copy of Joint Compromise Memo

To

- 1.The Inspector of Police,
Kariyur Police Station,
Pudukottai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To:

The Officer Incharge/ The Member Secretary,
Tamil Nadu Legal Services Authority,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.A.Arun Prasad, Advocate, SR.No. 78660

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