



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.09.2018**

CORAM:

THE HONOURABLE **MR. JUSTICE N. ANAND VENKATESH**

Crl.O.P.[MD].No.13285 of 2018

WEB COPY

Karthikeyan

: Petitioner / Accused No.3

Vs.

1. The State Through,
The Inspector of Police,
Melur Police Station,
Melur, Madurai District.

: 1st Respondent / De-jure
Complainant

2. Kumar

: 2nd Respondent /
De facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records connected with the case in Crime No.339 of 2015 on the file of the respondent no.1 and quash the same as illegal as against the petitioner.

For Petitioner : Mr.R.Alagumani

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)

For R2 : Mr.I.Sabeer Mohamed

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.339 of 2015, on the file of the respondent police, for an alleged offences under Section 393 IPC.

2. The case is still at 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 petitioner and the second respondent and also by their respective counsel. Parties were also present before this Court and they were identified by S.Ramu, Special Sub Inspector Of Police and they have also produced the copies of the Aadhaar Card, which is made part of the record. This Court also enquired the parties on both sides 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.339 of 2015.



5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.339 of 2015, on the file of the respondent police, is quashed only insofar as this petitioner / A3 is concerned and the Court below can proceed further insofar as the other accused persons are concerned and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.250/- (Rupees Two Hundred and Fifty only) 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(CS-I)

/True Copy/

Sub Assistant Registrar(CS-II)

Encl: Xeroc copy of Joint Compromise Memo
To

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

Copy to

- 1.The Member Secretary,
Tamil Nadu State Legal Services Committee,
High Court, Chennai.
2. The Officer In Charge,
Tamil Nadu State Legal Services Authority,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.Alagumani, Advocate Sr.No.82748

SM

VB/RP/SAR/03.10.2018/3P/6C

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04.09.2018