



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD].No.13891 of 2018

WEB COPY

1.X.Augustin
2.Aalvin
3.R.Lourdu Peter Arun
4.J.Rupiston : Petitioners

Vs.

1.The State through
The Inspector of Police,
Thoothukudi Police Station,
Thoothukudi.
[Crime No.77 of 2015].

2.Lourdu Raj : Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the entire records relating to Crime No.77 of 2015 registered on the file of the first respondent police station and quash the same.

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

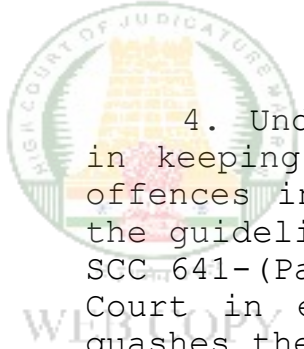
For R-2 : Mr.M.Chellapandian

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.77 of 2015 registered on the file of the first respondent police for an alleged offences under Sections 323, 324, 506(ii) and 307 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. The parties were also present before the Court and they were identified by Mr.Chandramoorthy, SI 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 First Information Report in Crime No.77 of 2015.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.77 of 2015 registered 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.1000/- 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-II)

/True Copy/

Sub Assistant Registrar (CS-I)

Encl:- Xerox Copy of Joint Compromise Memo
To

1.The Inspector of Police,
Thoothukudi Police Station,
Thoothukudi.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:
The Member Secretary,/The Officer Incharge,
Tamil Nadu Legal Services Committee,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.NIRANJAN S.KUMAR ADVOCATE IN SR.NO.78916.

SJI
DS SKN SAR-1 ;07.09.2018; 2P/5C

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