



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.14137 of 2018

WEB COPY

1.Muthuselvam  
2.Muthukumar  
3.Muthunathan : Petitioners/Accused 1 to Accused 3

Vs.

1.The State Represented by  
The Inspector of Police,  
Thiruchendur Police Station,  
Thoothukudi District.  
(Crime No.104/2018) : 1<sup>st</sup> Respondent/Complainant

2.Raja : 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the First Information Report in Crime No.104 of 2018, on the file of the first respondent police and quash the same.

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

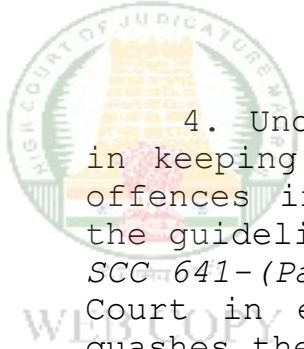
For R-2 : Mr.G.Ganeshkumar

#### ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.104 of 2018, on the file of the first respondent police, for an alleged offences under Sections 341, 392 (B), 323, 307 and 506(ii) 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.104 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.104 of 2018, on the file of the first respondent police, is quashed and the terms of Joint Memo of Compromise 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(CO)

/True copy/

Sub Assistant Registrar(CS-I)

Encl:Xerox Copy of Joint Compromise Memo.

To

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

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

Copy to:

The Section Officer,  
Accounts Section,  
Madurai Bench of Madras High Court,  
Madurai.

+1cc to Mr.M.SHAKUL HAMEED, Advocate, SR.No.78017

Cr1.O.P.[MD].No.14137 of 2018  
10.08.2018

SJI

KK/SKN/SAR-1/03.09.2018/2P-5C