



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.19457 of 2018

WEB COPY

C.Nallathambi : Petitioner/Sole Accused

Vs.

1.State rep.by

The Inspector of Police,
Tharuvaikulam Police Station,
Tuticorin District.

(Crime No.79 of 2018)

: 1st Respondent/Complainant

2.Thangasamy

: 2nd Respondent/De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in FIR in Crime No.79 of 2018, on the file of the respondent Police and quash the same as illegal.

For Petitioner : Mr.P.Banuprasath

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate[Crl. side]

For R-2 : Mr.K.Kulanthai Vikram

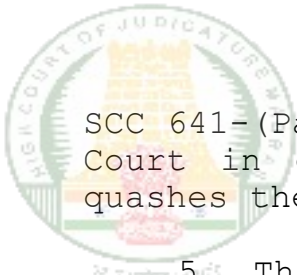
ORDER

The Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.79 of 2018, on the file of the first respondent, for an alleged offences under Sections 294(b), 341 and 506(ii) 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 petitioner 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 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 investigation in Crime No.79 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.79 of 2018, on the file of the first respondent, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.500/- as costs, to the credit of the "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, SBI, Periyakulam), 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-III)

/True Copy/

Sub Assistant Registrar(CS-III)

Encl: Xerox copy of Joint Compromise Memo

To

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

Copy To:

- 1.The Officer Incharge,
District Siddha Medical Officer,
CCRI, Periyakulam,
Theni District.
- 2.The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai. **(2 Copies)**

+1CC to Mr.P.Banuprasath, Advocate, SR.No.93110

Cr1.O.P.[MD].No.19457 of 2018
30.10.2018