



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD]No.14406 of 2018

1.Ganesh Kumar
2.Muneeshwaran
3.Veerasingam
4.Kaliraj
5.Vinayagamuthu
6.Niraipandiyan
7.Manikandaprabhu
8.Sivaraman
9.Veramariskumar
10.Velumurugan
11.Muneeswaran
12Muneesh Kumar

:Petitioners/Accused No.1 to 12

Vs.

1. State rep by
Deputy Superintendent of Police,
Sivakasi,
In Thiruthangal Police Station,
(In Crime No.740 of 2017)

: Respondent/Complainant

2.P.Pandi

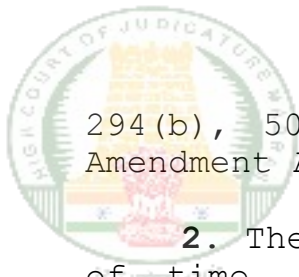
: Respondent/Defacto
complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to record the compromise reached between the petitioners/accused and second respondent/defacto complainant and call for the records and quash the case in Crime No.740 of 2017 on the file of the first respondent Police in respect of petitioners/accused and quash the same as illegal.

For Petitioners : Mr.M.Jothibas
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate[Crl. side]
For R-2 : Mr.S.Kumaravelu

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.740 of 2017 on the file of the first respondent Police, for an alleged offences under Sections 147, 148,



294(b), 506(ii) IPC r/w 3 (1)(s) and 3 (2) (Va) of SC/ST (POA) Amendment Act 2015.

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. Jothimuthu, 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 Gujath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in Crime No.740 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.740 of 2017, 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.250/- as costs, to the credit of the "Environment Fund" (payable in Account No.6656485009, Member Secretary, Tamil Nadu State Legal Services Authority, Chennai), 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 (Writs)

/True Copy/

Sub Assistant Registrar (CS-II)

Encl.: Xerox copy of Compromise Memo

To

1. The Deputy Superintendent of Police,
Thiruthangal Police Station,
Sivakasi.



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

3. The Member Secretary,
Tamil Nadu State Legal Services Authority,
Madras High Court Campus,
Chennai.

Copy To:-

The Registrar (Judicial)
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO M/s.G.M.LAW OFFICE, IN SR No. 79596

GNS
TE/RSK/SAR-2 : 20/09/2018 : 3P/6C

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21.08.2018
(1/2)