



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P. [MD].No.14448 of 2018

WEB COPY

1.Yoganand
2.Ramesh @ Gremmer Ramesh
3.Raveendran
4.Arun
5.Raghu
6.H.A.Martin : Petitioners

Vs.

1.The State Represented by
The Inspector of Police,
Palakkarai Police Station,
Tiruchirappalli.
[Crime No.79 of 2015].

2.Ibram Paul : Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the impugned charge sheet made in C.C.No.28 of 2016 on the file of the learned Judicial Magistrate No.V, Trichirappalli and quash the same.

For Petitioners : Mr.Arun Jayatram
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate [Criminal Side]
For R-2 : Mr.D.Vaidyanathan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.28 of 2016 on the file of the learned Judicial Magistrate No.V, Trichirappalli, for an alleged offences under Sections 147, 148, 448, 294(b), 323, 324, 506(ii), 427 and 109 of IPC r/w Section 34 of IPC in Crime No.79 of 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.Anthony Samy, SSI 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 proceedings in C.C.No.28 of 2016.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.28 of 2016 on the file of the learned Judicial Magistrate No.V, Trichirappalli, 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.750/- 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 (CO)

/True Copy/

Sub Assistant Registrar (CS-II)

Encl:-Xerox Copy of Joint Compromise memo

To

- 1.The Judicial Magistrate No.V,
Trichirappalli.
- 2.The Inspector of Police,
Palakkarai Police Station,
Tiruchirappalli.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 4.The Officer Incharge,
Tamil Nadu State Legal Services Authority,
Madurai Bench Of Madras High Court Campus,
Madurai.

+1cC to Mr.P.Arun Jayatram Advocate in SR.No.79224.

SJI

<https://hcservices.courts.gov.in/hcservices/>

DS RSR SAR 2,05.09.2018; 2P/6C

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