

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 25.10.2018****CORAM:****WEB COPY****THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH****CrI.O.P.[MD].No.18983 of 2018**

1.Kathirvel
2.Ashokraja
3.Muneeskumar
4.Marimuthu
5.Anthony Silvastar @ Antony Silvester
6.Senthilkumar
7.Sathiyasaravanan : Petitioners

Vs.

1.The State,
Represented by the Inspector of Police,
Kulathur Police Station,
Thoothukudi District.

2.Rajeshkumar : Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertains to the proceedings in S.T.C.No.321 of 2018, on the file of the first respondent police and quash the same as against the petitioners illegal and arbitrary.

For Petitioners : Mr.V.Nirmal Kumar
For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate [CrI. Side]

For R2 : Mr.M.Jerin Mathew

ORDER

This Criminal Original Petition has been filed to quash the proceedings in S.T.C.No.321 of 2018 in Crime No.14 of 2018 on the file of the learned Judicial Magistrate, Vilathikulam.

2.The case is still in the stage of trial. 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 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 case 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 proceedings in S.T.C.No.321 of 2018 in Crime No.14 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.T.C.No.321 of 2018 in Crime No.14 of 2018 on the file of the learned Judicial Magistrate, Vilathikulam, 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.1,500/- 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 (ADI)

// True Copy //

Sub Assistant Registrar (CS-IV)

ENCL.: XEROX COPY OF JOINT MEMO OF COMPROMISE IS ENCLOSED
To

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

2. The Judicial Magistrate, Vilathikulam.

3. 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.

+1 CC To MR.V.NIRMAL KUMAR, Advocate SR. NO. 92080

Cr1.O.P. [MD].No.18983 of 2018
25.10.2018