



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.(MD) No.20379 of 2018

Mohamed Asik

... Petitioner/Sole Accused

-vs-

1. State Rep.by the Sub-Inspector of Police
Thiruppullani Police Station
Ramanathapuram District
(In Crime No.156 of 2014)

... 1st Respondent / Complainant

2.Mohamed Meerasa

... 2nd Respondent / *De facto*
Complainant

PRAYER: Criminal original petition is filed under Section 482 of the Code of Criminal Procedure to call for the records pertaining in Crime No.156 of 2014, on the file of the 1st respondent and quash the same as against petitioner.

For Petitioner : Mr.A.S.Alaudeen

For Respondents : Mr.A.Robinson

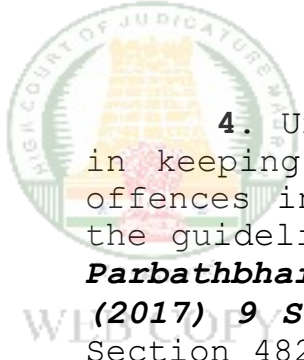
Government Advocate (Criminal Side) for R1
Mr.A.Mohamed Nathim for R2

O R D E R

The criminal original petition has been filed seeking to quash the proceedings in Crime No.156 of 2014, pending on the file of the first respondent - Police, for the offences under Sections 294, 506 (i) and 352 I.P.C.

2. The case is under 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, dated 12.11.2018, has been filed before this Court, which has been signed by the petitioner and the second respondent and also by their respective counsel. The parties were also present before the Court and they were identified by the Sub-Inspector of Police, attached to Thiruppullani Police Station, Ramanathapuram District and they have also produced the copies of Aadhar Card, which are made part of the record. This Court had 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 Honourable Supreme Court in the case of **Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath**, reported in (2017) 9 SCC 641, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in Crime No.156 of 2014, pending on the file of the first respondent - Police.

5. This criminal original petition stands allowed and as a sequel, the proceedings in Crime No.156 of 2014, pending on the file of the first respondent - Police, are quashed and the terms of the Joint Compromise Memo, dated 12.11.2018, shall form part and parcel of this order. The petitioner shall pay a sum of Rs.2,500/- (Rupees two thousand and five hundred only) as costs, to the credit of the Legal Services Authority, attached to the Madurai Bench of Madras High Court, within a period of two weeks from today (i.e.15.11.2018) and file a photocopy of the receipt along with a memo for reporting compliance in the Registry.

6. Post the matter after two weeks for reporting compliance.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-II)

Encl.: Xerox copy of Compromise Memo
To:

1. The Sub-Inspector of Police,
Thiruppullani Police Station,
Ramanathapuram District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To:-

The Officer-in-charge,
Legal Services Authority,
Madurai Bench of Madras High Court,
Madurai.

KRK
TE/RP/SAR-2 : 26/11/2018 : 2P/4C