



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2018

CORAM:

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.[MD].No.14710 of 2018

1.Besto @ Besto Brightson
2.Topson @ Topson Devaraj
3.Captian @ Rethina Prabakaran
4.Prakash @ Gnanaprakasam Jebastin
5.Jebasin
6.Lazar
7.Gnanaprakasam : Petitioners / Accused Nos.1-7

Vs.

1. The State Represented by
The Inspector of Police,
Panagudi Police Station,
Tirunelveli District. : Respondent / Complainant
2.Rathina Nadar : Respondent /
Defacto complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records and quash the proceedings in Cr.No.404 of 2015 on the file of the respondent Police.

For Petitioners : Mr.RM.Arun Swaminathan
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate [CrI.side]
For R-2 : Mr.S.Benazir

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Cr.No.404 of 2015, on the file of the first respondent police, for an alleged offences under Sections 147, 294 (b), 323, 324, 506(i) 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 petitioners and the second respondent and also by their respective counsel. The petitioners



and the second respondent were also present in person before this Court and they were identified by Mr. George Premalal, SSI of Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

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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 Cr.No. 404 of 2015.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Cr.No.404 of 2015, on the file of the first respondent Police, 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.500/- 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 Compromise Memo

To

1. The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.
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.

+ 2 CC TO Mr.R.M.ARUN SWAMINATHAN, ADVOCATE IN SR No. 79476

GNS

TE/SKN/SAR-2 : 01/10/2018 : 3P/6C

Cr1.O.P.[MD].No.14710 of 2018

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(4/4)