



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1 Op[MD]No.19873 of 2018

WEB COPY

1.Balu @ Palraj

2.Nagalingam

3.Sankar

4.Selvam

5.Saravanan

6.Paneer @ Paneerselvam

: Petitioners

Vs.

1. The State represented by
The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.
[Crime No.126 of 2010]

2.Mathavan

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to charge sheet in P.R.C.No.27 of 2011 on the file of the Additional District Munsif Cum Judicial Magistrate, Manamadurai, Sivagangai District and quash the same.

For Petitioners : Mr.G.Karuppasamy Pandiyan

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate [Cr1. side]

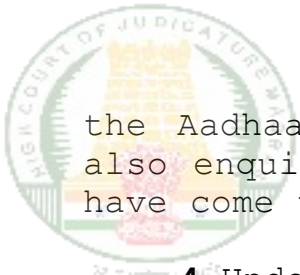
For R-2 : Mr.R.M.Manikandan

ORDER

The Criminal Original Petition has been filed seeking to quash the charge sheet in P.R.C.No.27 of 2011 on the file of the Additional District Munsif Cum Judicial Magistrate, Manamadurai, Sivagangai District for the alleged offence under Sections 147, 148, 324, 323, 506(ii) of IPC and Section 3(1) of TNPPDL Act.

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 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 Special Sub Inspector 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 proceedings 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 charge sheet in PRC No.27 of 2011.

5. This Criminal Original Petition stands allowed and as a sequel, the case in PRC No.27 of 2011, on the file of the Additional District Munsif Cum Judicial Magistrate, Manamadurai, Sivagangai District is quashed insofar as these petitioners are concerned 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.500/- [Rupees Five Hundred only] as costs, to the credit of "Environment Fund" (payable in Account No.6656485009, Member Secretary, Tamil Nadu State Legal Services Committee, 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 Additional District Munsif
Cum Judicial Magistrate,
Manamadurai, Sivagangai District
2. The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
4. The Tamil Nadu State Legal Services Committee,
High Court of Madras, Chennai 104

dsk

MK/KK/RSK/SAR 2/28.12.2018/2P/5C