



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2018

CORAM:

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.OP[MD]No.19864 of 2018

1.Prabin
2.Karthick
3.Chelladurai
4.Vijay @ Vijayakumar

:Petitioners/Accused 2 to 5

Vs .

1. The State represented by
The Inspector of Police,
Vellichanthai Police Station,
Kanyakumari District.
[Crime No.229 of 2014]

: 1st Respondent/Complainant

2. S.Kingsraja

: 2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the charge sheet in S.C.No.124 of 2015 on the file of the Sub Court, Eraniel and quash the same as the matter is amicably settled between parties.

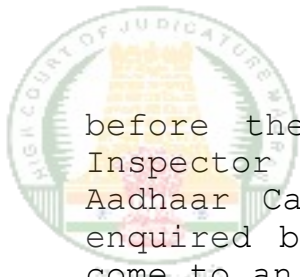
For Petitioners	: Mr.V.B.Sundhareshwar
For R-1	: Mr.K.Suyambulinga Bharathi Government Advocate [Cr1. side]
For R-2	: Mr.M.Sivasankar

ORDER

The Criminal Original Petition has been filed to quash to the case in S.C.No.124 of 2015 on the file of the Sub Court, Eraniel for the alleged offences under Sections 147, 148, 341, 294(b), 323, 324, 506(ii) and 307 of IPC.

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.

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4. Under such circumstances, no useful purpose will be served in keeping the proceedings in SC No.124 of 2015 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 SC No.124 of 2015.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in SC No.124 of 2015 on the file of the Sub Court, Eraniel 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/- (Rupees Seven Hundred and Fifty Only] to the credit of "Rojavanam Aged Home, Madurai" (payable in Account No.6481560540 at Indian Bank, High Court Branch, Madurai), 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 ()

/True Copy/

Sub Assistant Registrar (CS-)

Encl.: Xerox copy of Compromise Memo

To

1. The Subordinate Judge,
Eraniel.
2. The Inspector of Police,
Vellichanthai Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To:-

1. The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.



2. The Section Officer, Criminal Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

3. The Officer-in-charge,
Rojavanam Aged Home,
Ulaganeri, Melur Main Road,
Madurai.

+ 4 CC TO Mr.V.B.SUNDHARESHWAR, ADVOCATE IN SR No. 94379

DSK

TE/RSK/SAR-2 : 07/12/2018 : 2P/12C

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