



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

Cr1.O.P.[MD].No.14724 of 2018

1.Radhakrishnan : Petitioner/Accused No.1
Vs.

1.The State by
The Inspector of Police,
Arumuganeri Police Station,
Thoothukudi District.
(Crime No.266 of 2011) :1st Respondent/Complainant

2.S.Mohanalingam :2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the charge sheet in P.R.C.No.16 of 2014 on the file of the learned Judicial Magistrate, Tiruchendur, and quash the same in so far as this petitioner/accused no.1 is concerned.

For Petitioner : Mr.V.Malaiyendran

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

For R-2 : Mr.B.Charmurugan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in P.R.C.No.16 of 2014 pending on the file of the learned Judicial Magistrate, Tiruchendur, for an alleged offences under Sections 341, 294(b), 307 IPC and Section 3 (a) of Explosive Substance Act.

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 petitioner 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 which 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 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 First Information Report in P.R.C.No.16 of 2014.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in P.R.C.No.16 of 2014 pending on the file of the learned Judicial Magistrate, Tiruchendur, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1,500/- 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(AS)

/True Copy/

Sub Assistant Registrar(CS-II)

Encl: Xerox copy of Joint Compromise Memo

To

- 1.The Judicial Magistrate, Tiruchendur.
 - 2.The Inspector of Police,
Arumuganeri Police Station,
Thoothukudi District.
 - 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
 - 4.The Member Secretary,
Tamil Nadu State Legal Services Authority,
Madras High Court Campus, Chennai.
- +1CC to Mr.V.Malaiyendran, Advocate, SR.No.79541

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