



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.08.2018

CORAM:

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.14707 of 2018

- 1.Immanuevel
- 2.Pon Isravel
- 3.Yesuraja @ Jesuraja
- 4.Pevin @ Pepin Prasanna
- 5.Gnana Rajesh

: Petitioners / Accused Nos.1-5

Vs.

1. The State Represented by
The Inspector of Police,
Panagudi Police Station,
Tirunelveli District

: Respondent / Complainant

2. Arul Selvan

: 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.32 of 2016 on the file of the respondent Police.

For Petitioners	: Mr.RM.Arun Swaminathan
For R-1	: Mr.K.Suyambulinga Bharathi Government Advocate [Crl.side]
For R-2	: Mr.J.Malai Raja

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.32 of 2016 , on the file of the first respondent police, for an alleged offences under Sections 147, 294 (b), 323, 324, 307, 506(i) IPC and Section 4 of TNPHW Act.

2.It is represented by the learned Government Advocate (Crl.side) that the final report has been filed and the same is pending in P.R.C.No.128 of 2017 on the file of the learned Judicial Magistrate, Vallioor. 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 P.R.C. 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 P.R.C.No.128 of 2017

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in P.R.C.No.128 of 2017, on the file of the learned Judicial Magistrate, Vallioor, 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.1,000/- 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 Judicial Magistrate, Vallioor.
2. The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
4. The Member Secretary/Officer incharge,
Tamil Nadu State Legal Services Authority,
Madurai Bench of Madras High Court, Madurai.

+ 2 CC TO Mr.R.M.ARUN SWAMINATHAN, ADVOCATE IN SR No. 79473

GNS

TE/SKN/SAR-2 : 01/10/2018 : 3P/7C

Cr1.O.P.[MD].No.14707 of 2018

<https://hcservices.ecourts.gov.in/hcservices/>

21.08.2018

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