



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.14743 of 2018

Karthick

: Petitioner/Accused No.2

Vs.

1. The State Rep by
The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
(Crime No.102 of 2018)

: Respondent/Complainant

2. Marimuthu

: Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the case in Crime No.102 of 2018 on the file of the Inspector of Police, Kenikkarai Police Station, Ramanathapuram District and quash the same on the ground of compromise forthwith.

For Petitioner	: Mr.J.Sankara Pandian
For R-1	: Mr.K.Suyambulinga Bharathi Government Advocate [Crl. Side]
For R-2	: Mr.Nambu Marimuthu

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.102 of 2018 pending on the file of the first respondent, for an alleged offences under Sections 294(b), 324 and 506(ii) 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 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 Gujath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.102 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.102 of 2018 pending on the file of first respondent, 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.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 (Writs)

/True Copy/

Sub Assistant Registrar(CS-III)

Encl.: Xerox copy of Compromise Memo

To

1. The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram 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.

+ 1 CC TO Mr.NAMBU MARIMUTHU, ADVOCATE IN SR No. 80085

GNS

TE/SKN/SAR-3 : 19/09/2018 : 2P/5C