



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.08.2018**

CORAM:

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.[MD].No.14786 of 2018

Sivaraman :Petitioner/Sole Accused

Vs.

1.The State rep.by its
The Sub-Inspector of Police,
Eral Police Station,
Tuticorin District.
(Crime No.62 of 2018) :1st Respondent/Complainant

2.B.Vijayakumar :2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the entire records in relating to the entire proceedings of the FIR in Crime No.62 of 2018 on the file of the first respondent and quash the same in so far as the petitioner is concerned.

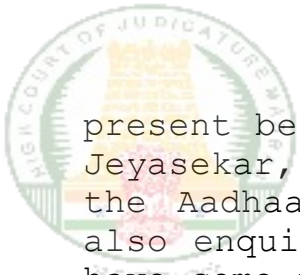
For Petitioner : Mr.N.Ramesh Arumugam
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate[CrI. side]
For R-2 : Mr.R.Kathiresaperumal

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.62 of 2018 on the file of the first respondent, for an alleged offences under Section 4 of TN Public Property (Prevention of Damage & Loss) Act, 1992.

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. The parties were also



present before the Court and they were identified by Mr.J.Immanuel Jeyasekar, SSI 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 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 proceedings in Crime No.62 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.62 of 2018, on the file of the first respondent, 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.1,000/- 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 (WRITS)

// True Copy //

Sub Assistant Registrar(CS-I)

Encl: Joint Memo Compromise dt:9/8/18

To

1. The Sub-Inspector of Police,
Eral Police Station,
Tuticorin District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
3. Member Secretary,
Tamil Nadu State Legal Services Authority,
Madras High Court Campus,
Chennai.



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)

+ 1 CC TO MR.N.RAMESH ARUMUGAM, ADVOCATE IN SR NO.79915

gns

BU/SKN/SAR-I : 03.10.2018 : 3P/8C

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