



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.09.2018**

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.14944 of 2018
and
Crl.M.P(MD) No.6615 of 2018

1. Thavamoorthy
2. Chellamuthu
3. Muthuram
4. Ramu
- 5.Muthu
6. Muthiah
7. Ammasi
8. Arumugam
- 9.Malailingam
- 10.Murugan
- 11.Kesavan
- 12.Jothimurugan
- 13.Kumundan
- 14.Mahendran
- 15.Ganesan
16. Chinnasamy
17. Manoharan

:Petitioners/Accused 1 to 16 and 18

Vs.

<https://hcservices.courts.gov.in/hcservices/>
1. The state rep.by,
The Inspector of Police



Keelavalavu Police Station
Melur Taluk
Madurai District
(Crime No.144 of 2012)

:1st Respondent/Complainant

2. Anwar

: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 case in PRC No. 5 of 2016 in Crime No.144 of 2012 on the file of the Judicial Magistrate, Melur, Madurai District and quash the same as against these petitioners.

For Petitioners: Mrs.R.Chinnaponnu

For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

For R2 : Mr. S.Saravana Kumar

ORDER

The Criminal Original Petition has been filed to quash the proceedings in PRC No. 5 of 2016 on the file of the Judicial Magistrate, Melur, Madurai District for an offences under Sections 147, 148, 323, 324, 336,307 and 109 of IPC r/w.149 of IPC.

2. The case is under trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. Insofar as the thirteenth petitioner is concerned, it is stated that he is dead.

4. A Joint Memo of Compromise have been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. The parties were also present before the Court and they were identified by M.Rajendiran, 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.

5. 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 PRC No. 5 of 2016 .



6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in PRC No. 5 of 2016 , on the file of the Judicial Magistrate, Melur, Madurai District , 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.1000/- (Rupees One Thousand only) as costs, to the credit of the "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, SBI, Periyakulam), 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. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar (CS-III)

Encl: Joint Compromise Memo enclosed along with this order.

To

1. The Judicial Magistrate,
Melur.
2. The District Siddha Medical Officer,
CCRI, Periyakulam.
3. The Inspector of Police,
Keelavalavu Police Station,
Melur Taluk,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,



+ 1 CC TO MR.R.CHINNAPONNU, ADVOCATE IN SR NO.85915

aav

BU/SKN/SAR-III : 12.10.2018 : 4P/8C

Cr1.O.P.[MD].No.14944 of 2018
19.09.2018