



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P. [MD].No.14977 of 2018

WEB COPY

1. Kesavan
2. Manokaran
3. Senthilkuamar

: Petitioners

Vs.

1. The State Represented by
The Inspector of Police,
Tirumangalam Taluk Police Station,
Madurai District.
(Crime No.28/2017)

: 1st Respondent/Complainant

2. Kasthuri

: 2nd Respondent/
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records FIR in Crime No.28 of 2017, on the file of the Tirumangalam Taluk Police Station, Madurai District and quash the same as against the petitioners.

For Petitioners : Mr.S.Ayyanar Premkumar
For R-1 : Mr.M.Chandra Sekaran
Additional Public Prosecutor

For R-2 : Mr.R.Sundar

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.28 of 2017, on the file of the respondent police, for an alleged offences under Sections 294(b), 323, 506(ii) of IPC., and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002.

2. The case is still at 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 petitioners and the second respondent and also by their respective counsel. In order to identify the respective parties they have also produced the copies of the Aadhaar Card 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.



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 Crime No.28 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.28 of 2017, on the file of the respondent police, 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.750/- (Rupees Seven Hundred and Fifty only) as costs, to the credit of the "Environment Fund" (payable in Account No.6656485009, Member Secretary, Tamil Nadu State Legal Services Committee) 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)

To

- 1.The Inspector of Police,
Tirumangalam Taluk Police Station,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

COPY TO;
THE MEMBER SECTRETARY,
TAMIL NADU STATE LEGAL SERVICES committee,
CHENNAI.

+1CC TO MR.S.AYYANAR PREMKUMAR,ADVOCATE IN SR.NO.80213.

LS

DS SKN SAR-3:14.09.2018: 2P/5C