



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.12.2018**

CORAM:

THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

CrI.O.P.[MD].No.20960 of 2018

- 1.Karthick
- 2.Karthick S/o.Chinnaiah
- 3.Anbarasan
- 4.Minor.Haridevan  
(Minor Rep. by his father and Natural Guardian Nagarajan)  
.. Petitioners/Accused No.1 to 4  
Vs.

1.The Deputy Superintendent of Police,  
Thiruppathur,  
Sivagangai District.

2.State rep by  
The Inspector of Police,  
Thirukkostiyur Police Station,  
Sivagangai District.  
Crime No.105 of 2018 ...Respondents 1 & 2/Complainants

3.Soolakaruppaiah ...3<sup>rd</sup> Respondent/ Defacto Complainant

4.Vijay ...4<sup>th</sup> Respondent/ Victim

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in connection with the Crime No.105 of 2018 on the file of the respondent police and quash the same in respect of the petitioners.

For Petitioners : Mr.S.M.Sanjay

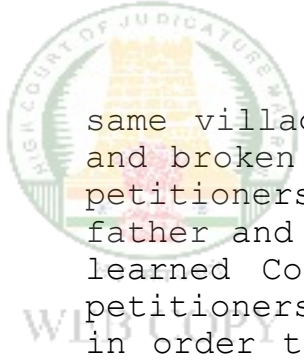
For R1 & R2 : Mr.A.Robinson  
Government Advocate (CrI.Side)

For R3 : Mr.D.Palanikumar

### **ORDER**

The Criminal Original Petition has been filed to quash the proceedings in Crime No.105 of 2018 on the file of the Inspector of Police, Thirukkostiyur Police Station, Sivagangai District, for the alleged offence under Sections 294(b), 324, 506(i) of IPC and Sections 3(1) (r) and 3(1) (s) of SC/ST (POA) Act, 2015.

2.The learned Counsel for the petitioners would submit that the second respondent registered a case against the petitioners for the offence under Sections 294(b), 324, 506(i) of IPC and Sections 3(1) (r) and 3(1) (s) of SC/ST (POA) Act, 2015. He would further submit that the petitioners and the defacto complainant are residing in the



same village and on 06.11.2018, the petitioners had drunken liquor and broken the liquor bottles inside the coconut grove, wherein the petitioners are said to have abused the defacto complainant, his father and others, by using caste name and also assaulted them. The learned Counsel for the petitioner would further submit that the petitioners and the defacto complainant belong to same village and in order to bring peace they have compromised the dispute amicably among themselves, by the intervention of the elders and family members of both sides.

3.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.

4.A joint memo of compromise has been filed before this Court, which has 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 the Inspector of Police, Thirukkostiyur Police Station. 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 Guj Rath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the First Information Report in Crime No.105 of 2018.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.105 of 2018, on the file of the 2<sup>nd</sup> respondent, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioners shall pay a sum of Rs.2,500/- each (Totally a sum of Rs.10,000/-) as costs, by way of a crossed Cheque or by means of Demand Draft in favour of the 'Chief Minister's Public Relief Fund' and hand it over to the Registrar (Judicial) of the Madurai Bench of Madras High Court, Madurai, 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-III)



To

1.The Deputy Superintendent of Police,  
Thiruppathur,  
Sivagangai District.

2.The Inspector of Police,  
Thirukkostiyur Police Station,  
Sivagangai District.  
Crime No.105 of 2018

3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

Copy to:

The Registrar (Judicial),  
Madurai Bench of Madras HighCourt,  
Madurai.

+1cc to Mr.S.M.Sanjay ,Advocate Sr.No.99689

RM

KM/PM/SAR3/19.12.2018/3P/6C

**Cr1.O.P. [MD] .No.20960 of 2018**  
**11.12.2018**