



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.15530 of 2018

1.Santhosh Dinesh Kumar

2.D.Phillip

3.P.Sheela

: Petitioners / Accused 1,2 & 3

Vs.

1.The Assistant Commissioner of Police,

Thallakulam, Madurai.

: 1st Respondent

2.The State represented by

The Inspector of Police,

All Women Police Station,

Thallakulam, Madurai District.: 2nd Respondent / Complainant

3.Vijila

: 3rd Respondent /

De facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in proceedings in FIR in Crime No.45 of 2018 on the file of the second respondent and quash the same.

For Petitioner : Mr.S.Mandiralingeswaran

For R-1 & R-2 : Mr.K.Suyambulinga Bharathi

Government Advocate (Crl. Side)

For R3

: Mr.K.Nandhagopal

ORDER

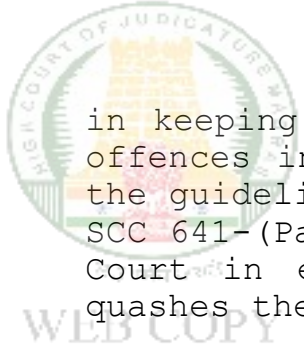
The Criminal Original Petition has been filed to quash the proceedings in Crime No.45 of 2018, on the file of the respondent police, for an alleged offences under Sections 417, 376 and 506(1) IPC and Section 3 (2) (v) of the SC / ST (Prevention of Atrocities) Act, 1989.

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 third respondent and also by their respective counsel. Parties were also present before this Court and they were identified by P.PremaSanthakumari, Sub Inspector Of Police, All Women Police Station, Tallakulam and they have also produced the copies of the Aadhaar Card, which is made part of the record. This Court also enquired the parties on both sides and was satisfied that the parties have come to an amicable settlement between themselves.

<https://hcservices.ecourts.gov.in/hcservices/>

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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.45 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.45 of 2018, 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. The petitioners shall pay a sum of Rs.1,000/- (Rupees One Thousand only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), 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-II)

Encl:- Joint Compromise Memo dated 29.08.2018
To

- 1.The Assistant Commissioner of Police,
Thallakulam, Madurai.
2. The Inspector of Police,
All Women Police Station,
Thallakulam, Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:
The Section Officer
Accounts Section,
Madurai Bench Of Madras High Court,
Madurai.
+1CC to MR.G.SAKTHI RAO, ADVOCATE IN SR.NO.81980.
SM
DS SV SAR-2;05.09.2018; 2P/6C

Cr1.O.P.[MD].No.15530 of 2018
31.08.2018