



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.15490 of 2018

and

Cr.M.P (MD) No.6836 of 2018

WEB COPY

1. Kumaran @ Thirukumaran
2. Mari @ Mariselvam : Petitioners

Vs.

1. The State rep.by,
The Inspector of Police (L& O),
D-1, Tallakulam Police Station
Madurai City
(Crime No.148 of 2012)

2. Kaleeswaran : Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the impugned charge sheet in C.C. No.36 of 2015 on the file of the learned Judicial Magistrate No.II, Madurai and quash the same insofar as the petitioners are concerned.

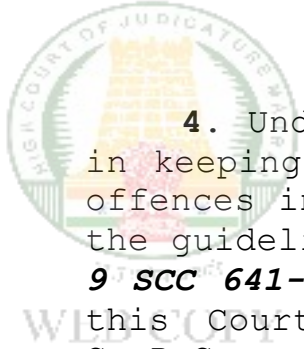
For Petitioners : Mr.N.Sathiyendran
For R1 : Mr.M.Chandrasekaran
Additional Public Prosecutor
For R2 : Mr.Manikandan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.36 of 2015 on the file of the learned Judicial Magistrate No.II, Madurai for an offences under Sections 294(b), 324 and 506(ii) 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. 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 Mr.Marikumar, 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.



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 Gujraht)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.36 of 2015.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.36 of 2015, on the file of the learned Judicial Magistrate No.II, Madurai, 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.750/- (Rupees Seven Hundred and Fifty 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(CO)

/True Copy/

Sub Assistant Registrar(CS-I)

ENCL: Xerox copy of Joint Compromise Memo
To

1. The Inspector of Police (L& O),
D-1, Tallakulam Police Station
Madurai City
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

The District Siddha Medical Officer,
CCRI, Periyakulam

+1cc to Mr.M.S.Jeyakarthik, Advocate Sr.No.81609

AAV

VB/SKN/SAR1/24.09.2018/2P/5C