



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **N.ANAND VENKATESH**
Crl.O.P.[MD].No.15540 of 2018

1.Chelladurai

2.Kandhan @ Kandhasamy : Petitioners/A1 & A2

Vs.

1.State represented by

The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
[Crime No.15 of 2015].

: 1st Respondent/Complainant

2.Archunan

: Respondent/de-facto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the C.C.No.119 of 2017 on the file of the learned Judicial Magistrate, Cheranmahadevi, Tirunelveli District and quash the proceedings as against the petitioners herein.

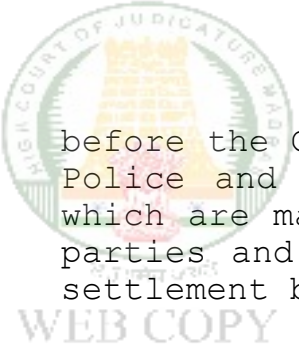
For Petitioner : Mr.C.Saravanakumar
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate[Crl. side]
For R-2 : Mr.A.Sankararama Subramanian

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.119 of 2017, on the file of the learned Judicial Magistrate, Cheranmahadevi, Tirunelveli District for an alleged offences under Sections 147, 294(b), 323, 506(ii) of I.P.C, @ 294(b), 506(i) of I.P.C.

2. The case is still in 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. The parties were also present



before the Court and they were identified by Mr.A.Sivathanu, S.S.I 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in C.C.No.119 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.119 of 2017, on the file of the learned Judicial Magistrate, Cheranmahadevi, Tirunelveli District, 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/- (Seven Hundred Fifty Only) as costs, to the credit of the "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, IFSC Code.SBIN 0000898, M.I.C.R. Code.625002601, State Bank of India, 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.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar(CS-IV)

To

- 1.The Judicial Magistrate, Cheranmahadevi,
Tirunelveli District.
2. The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



THE DISTRICT SIDDHA MEDICAL OFFICER,
CCRI, PERIYAKULAM

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+1 CC To MR.C.SARAVANAKUMAR, Advocate SR. NO.83887

Cr1.O.P.[MD].No.15540 of 2018
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DAS
TR/RSK/SAR-IV(05.10.2018) 3P 6C