



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **N.ANAND VENKATESH**
Crl.O.P. [MD].No.15461 of 2018

Chandhiran

: Petitioner

Vs.

1. The State rep.by,
The Inspector of Police
Kamudhi Police Station
Ramanathapuram District
(Crime No.412 of 2017)

2. Kottaisamy

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to quash the case in Crime No.412 of 2017 in C.C.No.12 of 2018 on the file of the first respondent police station by accepting the joint compromise memo dated 20.07.2018.

For Petitioner : Mr.R.Babu Jaganath
For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.12 of 2018 on the file of the learned Judicial Magistrate, Kamudhi for an offences under Sections 294 (b), 506(i) and Sections 3 and 4 of Tamil Nadu Prohibition of Charging Ex orbitant Interest Act 2003.

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 petitioner and the second respondent and also by their respective counsel. The parties were also present before the Court and they were identified by Mr.Karuppiah, SI 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 proceedings in C.C.No.12 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.12 of 2018, on the file of the learned Judicial Magistrate , Kamudhi, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1500/- (Rupees One thousand and five hundred 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.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS-III)

ENCL: XEROX COPY OF MEMO OF COMPROMISE.

To

1. The Judicial Magistrate
Kamudhi
2. The District Siddha Medical Officer,
CCRI, Periyakulam
- 3.The Inspector of Police
Kamudhi Police Station
Ramanathapuram District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



COPY TO

The Section officer,
Criminal Section, Madurai Bench of Madras High Court,
Madras.

+1 CC To MR.R.BABU JAGANATH, Advocate SR. NO.81969

Cr1.O.P. [MD] .No.15641 of 2018
03.09.2018

AAV

TR/PM/SAR-III (24.09.2018) 3P 7C