



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.[MD].No.15643 of 2018

WEB COPY

1.Samuel Gnanadurai
2.Gnanaraj Robert
3.Paulraj
4.Augustine : Petitioners/Accused No.1 to 4

Vs.

1.The State Represented its
Inspector of Police,
Muthiapuram Police Station,
Thoothukudi District.
(Crime No.275/2013) : 1st Respondent/Complainant
2.Sheeba Baskar : 2nd Respondent/
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in C.C.No.242 of 2014 on the file of the Judicial Magistrate No.II, Thoothukudi and quash the same.

For Petitioners : Mr.T.A.Ebenezer
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)
For R-2 : Mr.V.Karuna

ORDER

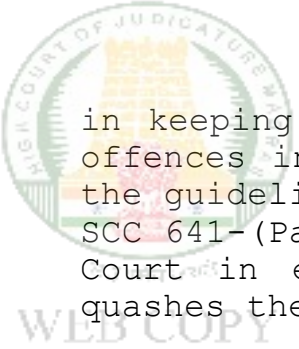
The present Criminal Original Petition has been filed to quash the proceedings in C.C.No.242 of 2014 on the file of the Judicial Magistrate No.II, Thoothukudi, for an alleged offences under Sections 294(b), 352 of IPC and Section 4 of Tamil Nadu Prevention of Harassment of Women Act.

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 second respondent and also by their respective counsel. In order to identify the respective parties they have also produced the copies of the Aadhaar Card 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.

<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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in in C.C.No.242 of 2014

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings C.C.No.242 of 2014 on the file of the Judicial Magistrate No.II, Thoothukudi, 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.250/- as costs, to the credit of the "Environment Fund" (payable in Account No.6656485009, Member Secretary, Tamil Nadu State Legal Services Committee), 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-III)

/True Copy/

Sub Assistant Registrar(CS-IV)

Encl: Xerox copy of Compromise Memo;

To

1.The Judicial Magistrate NO.II,
Thoothukudi.

2.The Inspector of Police,
Muthiapuram Police Station,
Thoothukudi District..

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

Copy to:

1. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai. 2 copies

2. The Member Secretary, Tamil Nadu State Legal Services Committee)
Chennai.

+1cc to Mr.T.A.Ebenzer Advocate in sr.no.83555.

Ls

DS SV SAR4 16 10 2018 2P 8C