



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.[MD].No.17544 of 2018

WEB COPY

1.Jesu Anto @ Antro
2.Pens Abishake @ Abishek
3.Leenas Sam Rex @ Rekes
4.Sahaya Antony Benish @ Penish : Petitioners/ Accused 1 to 4
Vs.

1.The State TamilNadu represented by
The Inspector of Police,
Eathamozhi police station,
Kanyakumari District.
Crime No.220 of 2016 : 1st Respondent/Complainant

2.Antony Merlin : 2nd Respondent/
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to quash the Charge Sheet in C.C.No.16 of 2017 pending on the file of Judicial Magistrate No.3, Nagercoil.

For Petitioners : Mr.R.Manimaran

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

For R-2 : Mr.M.Selvakumar

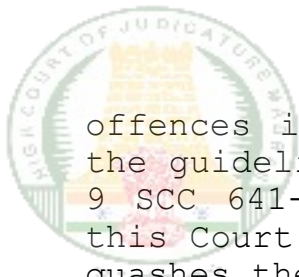
ORDER

The present Criminal Original Petition has been filed to quash the proceedings in C.C.No.16 of 2017 pending on the file of Judicial Magistrate No.III, Nagercoil.

2. The case is in the stage of 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 has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.David Chandra Bose, S.S.I. 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.16 of 2017.

WEB COPY

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.16 of 2017, on the file of the learned Judicial Magistrate No.III, Nagercoil, 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.500/- 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()

/True Copy/

Sub Assistant Registrar(CS-I)

Ls

Enclose: Xerox Copy of Joint Compromise Memo.
To

- 1.The Judicial Magistrate No.III,
Nagercoil.
- 2.The Inspector of Police,
Eathamozhi police station,
Kanyakumari District..
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- 4.The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court, Madurai.
- 5.The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.R.Manimaran, Advocate in SR No.88606