



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Cr1.O.P. [MD].No.15734 of 2018

WEB COPY

1. P.Balamurali
2. A.Ramachandran
3. A.Murugadass : Petitioners/Accused

Vs.

1. The State rep.by,
The Inspector of Police
Bodinaickanur Town Police Station
Theni District
(Crime No.498 of 2018) : 1st Respondent/Complainant
2. M.Manikandan : 2nd Respondents/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in pursuant of the impugned FIR in Crime No.498 of 2018 on the file of the Bodinaickanur Town Police Station , Theni District dated 26.05.2018 and quash the same.

For Petitioners: Mr.S.Loganathan

For R1 : Mr.K.Suyambulinga Bharathi

Government Advocate (Cr1.Side)

For R2 : Mr.L.Prabakaran

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.498 of 2018 on the file of the first respondent for an offences under Sections 294(b), 324 and 506(ii) of IPC r/w. 3(1) of TNPPDL Act

2. The case is under the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. Insofar as the second petition is concerned, it is stated that he is working in Arimy and is presently posted at Rajasthan and he is unable to appear before this court. He is represented by this brother Murugadass, who is the third petitioner herein.



4. 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.K.Kumar, 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.

5. 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 Guj Rath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in Crime No.498 of 2018.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.498 of 2018, on the file of the first respondent police, 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.

Sd/-

Assistant Registrar (WRITS)

// True Copy //

Sub Assistant Registrar(CS-I)

Encl: Memo of compromise dt:21.08.2018

Copy to:

1. The Inspector of Police
Bodinaickanur Town Police Station
Theni District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,



3. The District Siddha Medical Officer,
CCRI, Periyakulam.

4. The Section Officer ,
Criminal Section(Records),
Madurai Bench of Madras High Court,
Madurai.(2 Copies)

+ 1 CC TO MR.S.LOGANATHAN, ADVOCATE IN SR NO.82344

AAV

BU/SKN/SAR-I : 27.09.2018 : 3P/7C

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