



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.16079 of 2018

WEB COPY

Alagarsamy : Petitioner /Accused No.2
Vs.

1.The State through
The Inspector of Police,
Tallakulam Police Station,
Madurai City, Madurai.
(In Crime No.1385/2018) : 1st Respondent/Complainant

2.C.Selvakumar : 2nd Respondent/
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the proceedings in Crime No.1385 of 2018 on the file of the first respondent police and quash the same as against the petitioner herein.

For Petitioner : Mr.B.Kumaresan
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)
For R-2 : Mr.P.Venkatesan

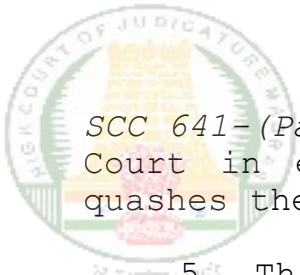
ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.1385 of 2018, on the file of the respondent police, for an alleged offences under Sections 294(b), 323, 324 and 506(ii) of I.P.C.

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 petitioner 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.K.P.Manikumar, Sub-Inspector of Police. 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 Crime No.1385 of 2018

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.1385 of 2018, on the file of the respondent police, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioner 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, 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-II)

/True copy/

Sub Assistant Registrar(CS-II)

Encl:Xerox Copy of Joint Compromise Memo.

To

- 1.The Inspector of Police,
Tallakulam Police Station,
Madurai City, Madurai.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 3.The District Siddha Medical Officer,
CCRI, Periyakulam.

+1cc to Mr.B.KUMARESAN, Advocate, SR.No.83301

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LS

KK/SKN/SAR-2/08.10.2018/2P-5C