



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.[MD] No.16018 of 2018

Sudan loyed Dhas

: Petitioner

vs.

1.The State represented by
The Inspector of Police,
Vadaseri Police Station,
Nagercoil,
Kanyakumari District.

2.Prakash

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the charge sheet in C.C.No.10 of 2017 on the file of the learned Judicial Magistrate No.II, Nagercoil, Kanyakumari District and quash the same.

For Petitioner	: Mr.M.Maharaja
For R-1	: Mr.K.Suyambulinga Bharathi Government Advocate (Crl.Side)
For R-2	:Mr.R.Rajesh

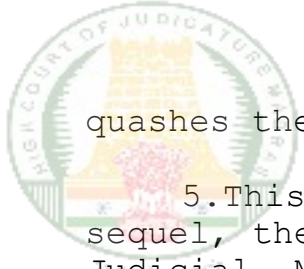
ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.10 of 2017 on the file of the learned Judicial Magistrate No.II, Nagercoil, Kanyakumari District.

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. In order to identify the respective parties they have also produce the copy of the Aadhaar Card is 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 Gujra*th), this Court in exercise of its jurisdiction under Section 482 Cr.P.C.



quashes the First Information Report in Crime No.14 of 2017.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings C.C.No.10 of 2017 on the file of the learned Judicial Magistrate No.II, Nagercoil, Kanyakumari District, 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.1,000/- (Rupees One Thousand only) 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 (Writs)

// True Copy //

Sub Assistant Registrar (CS-III)

Encl:Xerox Copy of Joint Compromise Memo.

To

- 1.The Inspector of Police,
Vadaseri Police Station,
Nagercoil,
Kanyakumari District.
- 2.The Judicial Magistrate No.II,
Nagercoil, Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai
4. The Section Officer,
Account Section,
Madurai Bench of Madras High Court,
Madurai

+1cc to Mr.M.Maharaja, Advocate, SR.No.82965

Cr1.O.P.[MD] No.16018 of 2018
05.09.2018

mm

KK/SV/SAR-3/01.10.2018/2P-6C