



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 06.09.2018
CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

Crl.O.P(MD)No.16027 of 2018

1.Sikkandhar Sheik Abdullah @ Sikkandhar
2.Syed Ismail
3.Abdul Razeeth
4.Jabar Ali
5.Sadam Hussain

... Petitioners/Accused Nos.1 to 5

Vs.

1.State rep. By,
The Sub-Inspector of Police,
Vilakkuthoon Police Station,
Madurai District.
(Crime No.204 of 2018)

... 1st Respondent/Complainant

2.Yasar Arafath

... 2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in Crime No.204 of 2018 on the file of the first respondent and quash the same.

For Petitioners: Mr.L.Shaji Chellan

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

For R - 2 : Mr.A.Syed Abdul Kadhar

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.204 of 2018, on the file of the first respondent, for the alleged offences under Sections 147, 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 petitioners and the second respondent and also by their respective counsel. The parties were also present before the Court 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.

4. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending, even though, the offences involved are non-compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 (9) SCC 641 (Parbatbhai Aahir @ Parbatbhai and others Vs. State of Gujarat and another)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the proceedings in First Information Report in Crime No.204 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.204 of 2018, on the file of the first respondent, 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.300/- (Rupees Three Hundred 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 ()

// True Copy //

Sub Assistant Registrar(CS-I)

Enclose herewith copy of the Compromise Memo.

To

1. The Sub-Inspector of Police,
Vilakkuthoon Police Station,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO MR.L.SHAJI CHELLAN, ADVOCATE IN SR NO. 82753

PS

BU/SKN/SAR-1 : 28.09.2018 : 2P/4C