



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.[MD].No.16249 of 2018

WEB COPY

1.Kalimuthu @ Karthi
2.Karthick Raja
3.Poyyali @ Satheesh
4.Bharani Athisayamani

: Petitioners

Vs.

1.State represented by
The Inspector of Police,
Thazhamuthunagar Police Station,
Thoothukudi District.
[Crime No.188 of 2018].

2.Esakkiappan

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the impugned F.I.R., in Crime No.188 of 2018, dated 13.05.2018 on the file of the first respondent police and quash the same based on the compromise arrived between the petitioners and the defacto complainant.

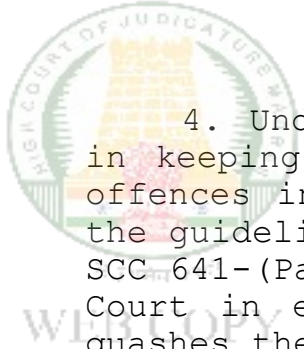
For Petitioner : Mr.T.Antony Arul Raj
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate[Crl. side]
For R-2 : Mr.M.Prabhakaran

ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.188 of 2018 on the file of the first respondent police, for an alleged offences under Sections 342, 294(b), 323, 387 and 506(ii) of IPC.

2. The case is still in 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 were identified by Mr.S.Moorthy, 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.



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.188 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the First Information Report in Crime No.188 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.250/- [Rupees Two Hundred and fifty 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(RTI)

/True Copy/

Sub Assistant Registrar(CS-III)

To

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

• 1 CC TO Mr.T.Antony Arul Raj, ADVOCATE IN SR No. 83775.

das

DS SKN SAR3 02 11 2018 2P 4C

Cr1.O.P.[MD].No.16249 of 2018
11.09.2018