



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Cr1.O.P.[MD].No.16216 of 2018

1.Francis @ Ilavarasapandian
2.S.Simiyon @ Mannar Manidhan
3.S.Praveen @ Pandiya Mannan
4.S.Prasath @ Selvajothi Pandiyan
5.Vinoth @ Vinoth Kumar : Petitioners/Accused Nos.1 to 5
Vs.

1.The State through the Inspector of Police,
Thenpakam Police Station,
Thoothukudi District.
(Crime No.977 of 2012) : 1st Respondent/Complainant

2.Eapi @ Rajeshkumar : 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.977 of 2012 on the file of the Inspector of Police, Thenpakam Police Station, Thoothukudi District and consequently, quash the same.

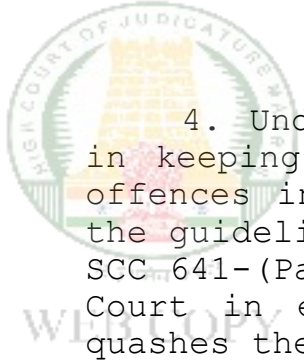
For Petitioners : Mr.K.Palmurugan
For Respondents : Mr.K.Suyambulinga Bharathi for R1
Government Advocate [Criminal Side]
Mr.P.Manikandan for R2

ORDER

The Criminal Original Petition has been filed to quash the F.I.R in Crime No.977 of 2012 on the file of the Inspector of Police, Thenpakam Police Station, Thoothukudi District, pursuant to the compromise arrived at by the parties.

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.P.Veera Bagu, Special Sub-Inspector 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.977 of 2012.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.977 of 2012, on the file of the Inspector of Police, Thenpakam Police Station, Thoothukudi District, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.500/- as costs, to the credit of the Environment Fund" (payable in Account No.6656485009, Member Secretary, Tamil Nadu State Legal Services Committee), 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(AS)

/True Copy/

Sub Assistant Registrar(CS-I)

TM

To

- 1.The Inspector of Police,
Thenpakam Police Station,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 3.The Member Secretary,
Tamilnadu State Legal Services committee,
Chennai.
- 4.The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.

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NM/SV/SAR I/27.10.18/2P/5C.