



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.09.2018**

CORAM:

THE HONOURABLE MR.JUSTICE **N.ANAND VENKATESH**

Cr1.O.P. [MD] .No.16231 of 2018

WEB COPY

Arumugam

: Petitioner/Sole Accused

Vs.

1. State Represented by,
The Inspector of Police,
Cantonment Police Station,
Trichy City.
(Crime No.575 of 2018)

: 1st Respondent/Complainant

2. Santhosh

: 2nd Respondent/ Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in proceeding in C.C.No.433 of 2018 on the file of the learned Judicial Magistrate No.II, Trichy in connection with Crime No.575 of 2018 on the file of the respondent police and quash the same.

For Petitioner

: Mr.K.M.Karunakaran

For R-1

: Mr.K.Suyambulinga Bharathi

Government Advocate [Criminal Side]

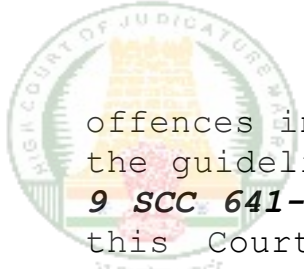
ORDER

The Criminal Original Petition has been filed to quash proceedings in C.C.No.433 of 2018 on the file of the Judicial Magistrate Court No.II, Trichy in Crime No.575 of 2018 on the file of the first respondent police for an alleged offences under Sections 294(b), 341 and 352 of IPC r/w 4(1)(j) of Tamil Nadu Prohibition Act.

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 petitioner 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 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 Guj Rath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.433 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.433 of 2018 on the file of the Judicial Magistrate Court No.II, Trichy in Crime No.575 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. The petitioner shall pay a sum of Rs.1000/- as costs, to the credit of the "Environment Fund" (payable in Account No.6656485009, Member Secretary, Tamil Nadu State Legal Services Authority, Chennai), 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)

Encl: Xerox copy of Joint Compromise Memo of

To

1. The Judicial Magistrate Court No.II, Trichy.
2. The Inspector of Police,
Cantonment Police Station,
Trichy City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
4. The Member Secretary,
Tamil Nadu State Legal Services Authority,
Madras High Court Campus,
Madras.

+1cc to Mr.K.M.Karunakaran, Advocate Sr.No.85754

RMI

VB/RSK/SAR1/16.10.2018/2P/6C

<https://hcservices.ecourts.gov.in/hcservices/>

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