



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2018

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.16436 of 2018

1.Gopala Krishnan
2.Rajendran

:Petitioners/Accused No.1 and 2

Vs.

1.The State of Tamil Nadu,
Represented by the Inspector of Police,
Thiruppulani-Police Station,
Ramanathapuram District.

:Respondent/Complainant

2.Mr.Abbas

:Respondent/*De facto*
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the case in Crime No.146 of 2015 under Sections 457 and 551 I.P.C. on the file of the first respondent Police to quash the same as illegal as against the petitioners / accused.

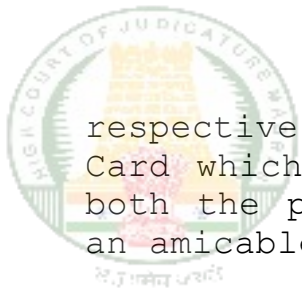
For Petitioners: Mr.D.Balamurugapandi
For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate[Crl. side]
For R2 : Mr.M.Vignesh Kumar

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.146 of 2015, for the offences under Sections 457 and 511 I.P.C. on the file of the first respondent.

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.V.Veeraanatham, SSI of Police. In order to identify the



respective parties they have also produced the copy of the Aadhaar Card which 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 Crime No.146 of 2015 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 proceedings in Crime No.146 of 2015, on the file of the first respondent.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.146 of 2015, on the file of the first respondent is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioners shall pay a sum of Rs.500/- (Rupees Five Hundred only) each, as cost, 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 (CRL-SIDE)

// True Copy //

Sub Assistant Registrar(CS-III)

Encl: Joint Compromise Memo dated: 10.9.2018

To

1. The Inspector of Police,
Thiruppulani-Police Station,
Ramanathapuram District.
2. The Member Secretary,
Tamil Nadu State Legal Services Committee,
Chennai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



Copy to:

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The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+ 1 CC TO MR.D.BALAMURUGAPANDI, ADVOCATE IN SR NO.84827

TSG

BU/RP/SAR-III :09.10.2018 : 3P/7C

Cr1.O.P.[MD].No.16436 of 2018
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