



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.09.2018**

CORAM:

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

CrI.O.P. [MD].No.16550 of 2018

WEB COPY

P.Mohammed kasim : Petitioner / Sole Accused
Vs.
1.The Inspector of Police,
Kayathar Police Station,
Thoothukudi District.
(Crime No.76 of 2018) : 1st Respondent / Complainant
2.Krishnammal : 2nd Respondent / *De facto*
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to quash the proceedings in Crime No.76 of 2018 on the file of the first respondent.

For Petitioner : Mr.C.Selvakumar
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate[CrI. side]
For R-2 : Mr.PR.Boomerajan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.76 of 2018 for an alleged offence under Section 304 (A) 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 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 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 proceedings in Crime No.76 of 2018 on the file of the first respondent.



5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.76 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. The petitioner shall pay a sum of Rs.2,500/- as cost, (Rupees Two Thousand Five Hundred only) 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(P&A)

/True Copy/

Sub Assistant Registrar(CS-II)

ENCL: Xerox copy of Joint Compromise Memo
To

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

Copy to

1. The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.
2. The Section Officer, (2 copies)
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.C.Selvakumar, Advocate Sr.No.84571

TSG

VB/SKN/SAR2/05.10.2018/2P/7C

Cr1.O.P. [MD] .No.16550 of 2018
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