



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.09.2018**

CORAM:

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

Cr1.O.P.[MD].No.16737 of 2018

and

Cr1.M.P(MD) No.7417 of 2018

Arumuga Nainar

: Petitioner/Accused No.2

Vs.

1. The State rep.by,
The Inspector of Police
Seidunganallur Police Station
Tuticorin District
(Crime No.73 of 2016)

:1st Respondent/complainant

2. Saravanan

:2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the impugned charge sheet in PRC No.49 of 2017 on the file of the learned Judicial Magistrate Srivaikundam and to quash the same insofar as the petitioner herein is concerned.

For Petitioner : Mr.M.S.Jeyakarthik
For R1 : Mr.K.Suyambulinga Bharthi
Government Advocate(Crl.Side)

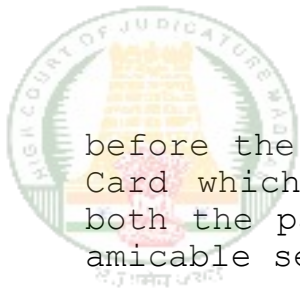
For R2 : Mr.N.Ramesh Arumugam

ORDER

The Criminal Original Petition has been filed to quash the proceedings in PRC No.49 of 2017 on the file of the learned Judicial Magistrate Srivaikundam.

2. The case is under trial. 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 have 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 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 Gujath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in PRC No.49 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in PRC No.49 of 2017 ,on the file of the learned Judicial Magistrate Srivaikundam, 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.750/- (Rupees Seven Hundred and Fifty only) as costs, to the credit of the "Cancer Institute (WIA) Gandhi Nagar Canal Bank Road, Adyar, Chennai- 20" (payable in Account No.149710011000002, Savings Bank, Andhra Bank, Madhya Kailash Branch, Cancer Institute(WIA) Campus, Sardar Patel Road, Chennai- 36, Branch Name and Code: 1497,MICR No.600011049, IFSC Code: ANDB0001497), 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. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (J)

// True Copy //

Sub Assistant Registrar (CS-IV)

ENCL: XEROX COPY OF JOINT COMPROMISE MEMO

To

1. The Judicial Magistrate
Srivaikundam
2. The Cancer Institute (WIA)
Gandhi Nagar Canal Bank Road,
Adyar, Chennai- 20"



3. The Inspector of Police
Seidunganallur Police Station
Tuticorin District

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC To MR.S.JEYAKARTHIK, Advocate SR. NO. 86301

Cr1.O.P. [MD] .No.16737 of 2018

AAV

TR/RP/SAR-IV(15.10.2018) 3P 6C