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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.16826 of 2018

Highcourt : Petitioner/Sole Accused

Vs.

1.The Inspector of Police,
Thattarmadam Police Station,
Thattarmadam,
Thoothukudi District.
(Crime No.87/2016) :Ist Respondent/Complainant

2.Mariya Loordhu Beranath : IInd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in Crime No.87 of 2016 on the file of the first respondent police and quash the same.

For Petitioner : Mr.R.Pon Karthikeyan
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate [Criminal Side]

For R-2 : Mr.P.T.Ramesh Raja

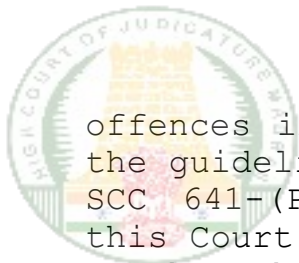
ORDER

The Criminal Original Petition has been filed to quash proceedings in Crime No.87 of 2016 on the file of the first respondent police for an alleged offences under Section 304 of I.P.C.

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 were identified by Mr.Devaraj, SSI 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 Gujraht), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in Crime No.87 of 2016.

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5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.87 of 2016 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.1500/- as costs, to the credit of the Rojavanam, Home for aged and poor, Account No.6481560540, Indian Bank, Madurai Bench of Madras High Court, Madurai, 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(Protocol)

/True Copy/

Sub Assistant Registrar(CS-I)

Encl: Xerox Copy of Joint Compromise Memo.

To

1.The Inspector of Police,
Thattarmadam Police Station,
Thattarmadam,
Thoothukudi District.

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

3.Rojavanam Home,
Melur Road, Ulaganeri Post,
Madurai.

Copy To:

The Registrar(Judicial)
Madurai Bench of Madras High Court,
Madurai.

1 CC TO Mr.R.Pon Karthikeyan, ADVOCATE IN SR No. 86333.

RMI

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