



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD].No.17291 of 2018

WEB COPY

1.Imrankhan
2.Mohammed Yazzin : Petitioners/Accused No.1 and 2

Vs.

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Seranmahadevi Range, Tirunelveli District. : 1st Respondent

2.The State through
The Inspector of Police,
Muneerpallam Police Station,
Tirunelveli District. : 2nd Respondent/De-jure Complainant

3.Subash : 3rd Respondent/Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records connected with the case in S.C.No.165 of 2016 on the file of the II Additional District and Sessions Court (PCR) Court, Tirunelveli and quash the same as illegal.

For Petitioner : Mr.R.Alagumani
For Respondents : Mr.K.Suyambulinga Bharathi for R1 & R2
Government Advocate [Criminal Side]
Mr.L.M.Vijai Boominathan for R3

ORDER

The Criminal Original Petition has been filed to quash the S.C.No.165 of 2016 on the file of the II Additional District and Sessions Court (PCR) Court, Tirunelveli, pursuant to the compromise arrived at by the parties.

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. 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 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 S.C.No.165 of 2016.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.165 of 2016 on the file of the II Additional District and Sessions Court (PCR) Court, Tirunelveli, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.500/- as costs, 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(RTI)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1.The II Additional District and Sessions Judge (PCR) Court,
Tirunelveli.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Seranmahadevi Range, Tirunelveli District.

3.The Inspector of Police,
Muneerpallam Police Station,
Tirunelveli District.

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

Copy To:

The Section Officer,Accounts Section,
Madurai Bench of Madras High Court,Madurai.

+2CC to Mr.R.ALAGUMANI, Advocate, SR.Nos.87369, 88071

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