



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.16858 of 2018

Fr.S.S.Wilson

: Petitioner/Accused

Vs.

1.The State of Tamilnadu

Rep. by the Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.
(Crime No.1005 of 2017)

: 1st Respondent/Complainant

2.Mr.Xavier Michealraj

: 2nd Respondent/Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in connection with the FIR in Crime No.1005 of 2017 dated 27.12.2017, on the file of the Palayamkottai Police Station, Tirunelveli District and quash the same.

For Petitioner

: Mr.M.J.Shabu Jose for
M/s.Isaac Chambers

For Respondents

: Mr.K.Suyambulinga Bharathi for R1
Government Advocate [Criminal Side]
Mr.T.Antony Arul Raj for R2

ORDER

The Criminal Original Petition has been filed to quash the F.I.R in Crime No.1005 of 2017 on the file of the Inspector of Police, Palayamkottai Police Station, Tirunelveli District, 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 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.S.Sanmugaraj, Sub-Inspector 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.1005 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.1005 of 2017, on the file of the Inspector of Police, Palayamkottai Police Station, Tirunelveli District, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1000/- as costs, 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(CS-III)

/True Copy/

Sub Assistant Registrar(CS-I)

Encl:Xerox copy of Joint Compromise Memo

To

- 1.The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To:

The Member Secretary,
Tamil Nadu State Legal Services Committee,
Chennai.

+1CC to M/s.Isaac Chambers, Advocate, SR.No.87504
+1CC to Mr.T.Antony Arul Raj, Advocate, SR.No.87443

Cr1.O.P.[MD].No.16858 of 2018
27.09.2018