



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Cr1.O.P.[MD].No.18405 of 2018

WEB COPY

Esakkipandi

... Petitioner / Accused No.2

Vs.

1.The Inspector of Police,
Kulasekaranpattinam Police Station,
Thoothukudi District.
(Crime No.167/2018)

... 1st Respondent / Complainant

2.Ponpandi

... 2nd Respondent / Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in Crime No.167 of 2018 on the file of the first respondent police and quash the same in respect of the petitioner / accused No.2 is concerned.

For Petitioner : Mr.R.Pon Karthikeyan
For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate [Cr1. Side]
For R2 : Mr.A.Mohan

ORDER

This Criminal Original Petition has been filed to quash the case in Crime No.167 of 2018 on the file of the first respondent police.

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. In order to identify the respective parties, 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 case 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 case in Crime No.167 of 2018 on the file of the first respondent police.

5.This Criminal Original Petition stands allowed and as a sequel, the case in Crime No.167 of 2018 on the file of the first respondent police, 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.1,000/- as costs, to the credit of the "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, SBI, Periyakulam), 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-II)

/True Copy/

Sub Assistant Registrar(CS-III)

ENCL; XEROX OF COPY OF COMPROMISE MEMO.
To

1.Inspector of Police,
Kulasekaranpattinam Police Station,
Thoothukudi District.

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

3.The District Siddha Medical Officer,
CCRI, Periyakulam.

• 1 CC TO Mr.R.PON KARTHIKEYAN , ADVOCATE IN SR No.92492.

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