



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.09.2018
CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

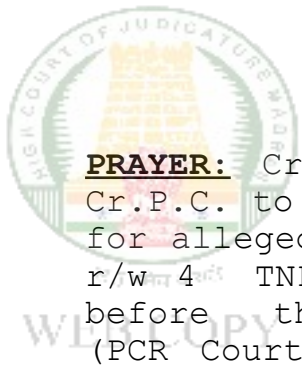
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Cr1.O.P.[MD].No.17155 of 2018

- 1.Kani @ Nagoor kani
- 2.Imam @ Mohamed Imam
- 3.Siddiq @ Sikkandar Dulkarnai
- 4.Mubarak Mohamed @ Farooq @ Mubarak Kani
- 5.Mohamed yasin
- 6.Syed Abuthakir
- 7.Abdul Vaheed
- 8.Samsath Begum
- 9.Asik @ Asik Raja
- 10.Kamaltheen
- 11.Nainar Mohamed @ Naina Mohamed
- 12.Peer Mohamed
- 13.Kaja Mohammed @ Kaja Mohideen
- 14.Bowsul Kani @ Mohamed Bowsul Kani
- 15.Ismail : Petitioners/Accused Nos.1 to 15

Vs.

1. State rep.by,
The Deputy Superintendent of Police,
Oomachikulam Sub Division,
Madurai District. : 1st Respondent/Complainant
- 2.The Inspector of Police
Silaiman Police Station ,
Madurai District. : 2nd Respondent/Complainant
- 3.S.K.Ramman : 3rd Respondent/
Defacto Complainant



PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining in Spl.S.C.No. 96 of 2018 for alleged punishable U/s 147, 148, 294(b), 323, 427, 452, 307 IPC r/w 4 TNPWH Act r/w 3(2) (V) of SC/ST Act r/w 149 IPC, pending before the IIIrd Additional District & Sessions Judge, (PCR Court), Madurai filed by the respondent / Complainant and quash the same.

For Petitioners : Mr.D.S.Haroon Rasheed

For R1 and R2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Cr1.side)

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Spl.S.C.No. 96 of 2018, on the file of the learned IIIrd Additional District & Sessions Judge, (PCR Court), Madurai.

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 petitioners and the second respondent and also by their respective counsel. The parties were also present before the Court and they were identified by Mr.Jegatheeswaran, SI of Police. 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 proceedings in Spl.S.C.No. 96 of 2018 .

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No. 96 of 2018, on the file of the learned IIIrd Additional District & Sessions Judge, (PCR Court), Madurai, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.500/- (Rupees Five Hundred 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.

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/True Copy/

Sd/-

Assistant Registrar(T&P)

Sub Assistant Registrar(CS-IV)

Encl:Xerox copy of Joint Compromise Memo

To

- 1.The IIIrd Additional District & Sessions Judge,
(PCR Court), Madurai.
- 2.The Deputy Superintendent of Police,
Oomachikulam Sub Division,
Madurai District.
- 3.The Inspector of Police
Silaiman Police Station ,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 5.The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai. **(2 copies)**

Copy to

The Cancer Institute (WIA)
Gandhi Nagar Canal Bank Road,
Adyar, Chennai- 20".

+1CC to Mr.D.S.Haroon Rasheed, Advocate, SR.No.87099

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LS

ES/SKN/RSK/SAR 4/23.10.2018/3P/9C