



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.18322 of 2018

WEB COPY

1.Iyappan @ Manikandan

2.Naganathan

:Petitioners/Accused No.1 & 2

Vs.

1. State represented by  
The Inspector of Police,  
Devakottai Town Police Station,  
Sivagangai District.  
(Crime No.847 of 2013)

2.Dhakshnamoorthi

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in S.C.No.81 of 2018 before the District and Sessions Judge, Sivagangai and quash the same as illegal.

For Petitioners : Mr.K.M.Priscilla Jancy

For R-1 : Mr.K.Suyambulinga Bharathi  
Government Advocate (Crl.side)

For R-2 : Mr.M.Preethi

### ORDER

The Criminal Original Petition has been filed to quash the proceedings in S.C.No.81 of 2018, on the file of the learned District and Sessions Judge, Sivagangai, for an alleged offences under Sections 294(b), 342 and 307 of IPC.

2. The case is still in the stage of 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 has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.J.Jeyaraman, Special 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 from 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 S.C.No.81 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.81 of 2018, on the file of the learned District and Sessions Judge, Sivagangai, 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.750/- as costs, to the credit of the "Environment Fund" (payable in Account No.6656485009, Member Secretary, Tamil Nadu State Legal Services Authority, Chennai), 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-IV)

Encl: Xerox copy of Joint Compromise Memo  
To

1. The District and Sessions Judge, Sivagangai.
2. The Inspector of Police,  
Devakottai Town Police Station,  
Sivagangai District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

Copy to

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

RMI

VB/SV/SAR4/26.10.2018/2P/5C

Cr1.O.P.[MD].No.18322 of 2018  
12.10.2018